

16 JANUARY 1947

I N D E X  
of  
WITNESSES

Prosecution's Witnesses

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I N D E X  
of  
EXHIBITS

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Thursday, 16 January 1947

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INTERNATIONAL MILITARY TRIBUNAL  
FOR THE FAR EAST  
Court House of the Tribunal  
War Ministry Building  
Tokyo, Japan

8 The Tribunal met, pursuant to adjournment,  
c 0930.

- - -

Appearances:

3 For the Tribunal, same as before with the  
14 exception of: HONORABLE JUSTICE JU-AO IEI, Member  
15 from the Republic of China, now sitting.

16 For the Prosecution Section, same as before.

17 For the Defense Section, same as before.

- - -

18 (English to Japanese and Japanese  
19 to English interpretation was made by the  
20 Language Section, IMTFE.)  
21  
22  
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1 Thursday, 16 January 1947

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1 MARSHAL OF THE COURT: The International  
2 Military Tribunal for the Far East is now in session.

3 THE PRESIDENT: All the accused are present  
4 except OKAWA, ARAKI, MATSUI, and TOGO. We have a  
5 certificate from the prison surgeon, Sugamo, that the  
6 accused MATSUI, TOGO, and ARAKI are unable to attend  
7 the trial today on account of illness. The certificate  
8 will be recorded and filed.

9 Mr. Justice Mansfield.

10 MR. JUSTICE MANSFIELD: If the Tribunal  
11 please, in answer to the Tribunal yesterday I mentioned  
12 certain portions of the case for which leave was re-  
13 quested to present in the French language. I omitted  
14 to request that leave be granted to reply in French  
15 to objections which may be taken to any evidence given  
16 during this present part of the phase. I now make that  
17 application and, in support, desire to point out that  
18 as any reply by the prosecution will necessarily be  
19 extemporaneous any submissions will be expressed with  
20 greater clarity in French than in English. I also add  
21 that during the earlier presentation of the French  
22 portion of the case that leave was granted to reply in  
23 that manner.

24 THE PRESIDENT: Yes, he may reply in French.

25 MR. JUSTICE MANSFIELD: Thank you.

1 THE PRESIDENT: Mr. Levin.

2 MR. LEVIN: Mr. President, when Mr. Justice  
3 Mansfield suggested this procedure yesterday I made  
4 no objection, assuming that our objections made in  
5 Chambers to this procedure would apply here, and I  
6 therefore make that request at this time, Mr. President.

7 THE PRESIDENT: What you say is noted.

8 Major Depo.

9 MAJOR DEPO: Prosecution document No. 2772-E-2,  
10 which is a letter by Captain Merian of the French  
11 Gendarmerie, is submitted in evidence.

12 This item described the ill-treatment endured  
13 and the death by strangulation of an Indo-Chinese  
14 coolie.

15 THE PRESIDENT: Admitted on the usual terms.

16 CLERK OF THE COURT: Prosecution document  
17 No. 2772-E-2 will receive exhibit No. 2117.

18 (Whereupon, the document above re-  
19 ferred to was marked prosecution's exhibit  
20 No. 2117 and received in evidence.)

21 MAJOR DEPO: With the Court's permission I  
22 will now read this document:

23 "Subject: Murder of an Indo-Chinese (THO)  
24 at Langson concession Saint Michel.

25 "Date: 12th June 1944.



1 "Place: Concession Saint Michel (Japanese  
2 Camp) at Langson.

3 "Responsible: Captain TSUGITA, Commandant of  
4 the detachment of Langson.

5 "Witness: Commissary of Police SABATIER --  
6 Surete of Langson.

7 "Resume:

8 "Some cases of disloyalty having appeared  
9 amongst the coolies supplying the Japanese Camp with  
10 water the 11 June 1944, the Japanese soldiers seized  
11 the person of Hoang-Van-Lan, 19 years, previously  
12 employed by them and who had left his work the 7th of  
13 the same month (June).

14 "This coolie who had been bound to a tree  
15 and beaten violently was found dead on the morning of  
16 the 12th.

17 "The autopsy carried out by Dr. Bereni showed  
18 that death was produced by strangulation.

19 "Signed: Captain of the Police, Captain Merian."

20 Prosecution document No. 2772-E-3, affidavit  
21 of Denise Avisse, is offered for identification and the  
22 excerpts marked are offered in evidence.

23 THE PRESIDENT: Admitted on the usual terms.

24 CLERK OF THE COURT: Prosecution document  
25 No. 2772-E-3 will be given exhibit No. 2118 for

1 identification only, and the marked excerpt therefrom,  
2 bearing the same document number, will receive exhibit  
3 No. 2118A.

4 (Whereupon, the document above re-  
5 ferred to was marked prosecution's exhibit  
6 No. 2118 for identification, and the marked  
7 excerpts therefrom were marked prosecution's  
8 exhibit No. 2118A and received in evidence.)

9 MAJOR DEPO: In this document the witness  
10 relates the massacre of civilians and prisoners of  
11 war, European and Indo-Chinese. Among them were two  
12 French women and a child of three months.

13 With the Court's permission I will read the  
14 marked excerpts:

15 "Affidavit of Avisse Denise, Alexandrine,  
16 wife of Marshal des Logis (4 RAC) Avisse Pierre. Born  
17 the 7th July 1927 at Lambezellec (Finistere). Daughter  
18 of Proux Augeste, Louis, Albert and of Simon Philomene.  
19 Domiciled in France at Kerallan-Lambezellec (Finistere).

20 "I lived at Langson, Gouttenegre Road, with  
21 my husband and my son (a baby of three months).

22 "The 12th in the morning, once the firing had  
23 ceased, a French NCO came to fetch us from the shelter.

24 "A French officer, whose name I do not know,  
25 introduced us to the Japanese officer. This latter



1 told us that he did not take women prisoners and that  
2 we could go.

3 "As soon as we were outside the gates of the  
4 post, the Japanese stopped us with their bayonets. I  
5 made a sign to the French officer that the Japanese  
6 would not let us go. The Japanese officer made a  
7 sign to his seldiers to let us pass. After having  
8 gone through the gates for a second time and taken a  
9 few steps in the road, a Japanese drew a line in the  
10 road with his sword and forbade us to go beyond it.

11 "We went back to the post. We were grouped  
12 with the wounded who were guarded by the Japanese.

13 "Among the wounded were two French NCOs,  
14 one wounded in the face and the other in the legs.  
15 The latter, not being able to walk, asked his comrade  
16 to give him a piece of stick to help him to walk. His  
17 comrade, having given him the stick, a Japanese came up  
18 and took it away.

19 "We went in the direction of the market. The  
20 man wounded in the legs was helped by his comrade who  
21 was wounded in the face. We came to a place between  
22 the market and the subdivision where we stopped, a  
23 Japanese detached himself from the group and went to  
24 look at the trenches near the little wall of the sub-  
25 division. The detachment went forward again, skirted

1 the market, stopped between the market and the  
2 Citadel, another Japanese left the ranks and went to  
3 see the trenches which were between the market and  
4 the Citadel. He then rejoined the group and instead  
5 of taking the direction of the entrance gate to the  
6 Citadel took up in an opposite direction, leading  
7 to the Hotel of the Three Marshals. We went by the  
8 building and arrived in the courtyard of the Officers  
9 Club. There was a trench at this place and the  
10 Japanese ordered us to get into it. When everyone  
11 was inside, they looted us. A Japanese brutally  
12 pulled one arm of my child to take off his little  
13 bracelet. I was obliged to tell Madame Mercier to  
14 take it off in order to avoid these brutalities to  
15 my son.

16 "When this operation was over, the Japanese  
17 fired on us at point blank range. Madame Mercier, who  
18 was behind me, received a bullet in the back and was  
19 killed outright. At the same time I received the first  
20 bullet in the left side and I sank down to the ground,  
21 a second bullet broke the left arm and split my son's  
22 skull while I was holding him in my arms. A third  
23 bullet broke my right wrist.

24 "When the butchery was over the Japanese  
25 stayed there about five minutes and then went away  
thinking that everyone was dead.



1 "After their departure, two sharpshooters who  
2 were amongst the victims (there were about 15 of us)  
3 managed to escape to the river's bank. Madame Mercier  
4 was leaning on me but I managed to extricate myself  
5 and went to see if the two NCOs were dead. They gave  
6 no sign of life. Hearing a noise I came back to take  
7 up my place. The Japanese came back to the trench.  
8 Probably they realized that there were two sharpshooters  
9 missing and began to check up to see if everyone was  
10 dead. They turned Madame Mercier on her back and then  
11 seeing that I had no blood on my back they turned me  
12 over with their swords at the bottom of the trench.  
13 One of them called me 'Mademoiselle.' I pretended to  
14 be dead. This operation completed they went away.  
15 After they had gone an Annamite came down into the  
16 trench and came to search me. I made no sign. My hand-  
17 bag was beside me and he took it and left the trench.  
18 Finding nothing inside he threw it away. After waiting  
19 a moment I decided to leave the trench if possible. I  
20 covered my child over with his little coat and I slid  
21 up to the side of the trench."

22 The affidavit of Taputuarai Tetani, prosecu-  
23 tion document No. 2772-E-4, is offered for identifica-  
24 tion and the marked excerpts offered in evidence.

25 THE PRESIDENT: Admitted on the usual terms.

1                   CLERK OF THE COURT: Prosecution document  
2 No. 2772-E-4 will receive exhibit No. 2119 for identi-  
3 fication only, and the marked excerpt therefrom, bear-  
4 ing the same document number, will receive exhibit  
5 No. 2119A.

6                   (Whereupon, the document above re-  
7 ferred to was marked prosecution's exhibit  
8 No. 2119 for identification, and the marked  
9 excerpt therefrom was marked prosecution's  
10 exhibit No. 2119A and received in evidence.)

11                  MAJOR DEPO: This document describes the  
12 violation which the witness had to submit to. I quote  
13 from document No. 2772-E-4:  
14

15                  "About 10:30, four Japanese made me go back  
16 into the magazine where I had spent the night. I  
17 tried to resist but they struck me and pushed me into  
18 this room. There, one of the soldiers came up and  
19 threatened me with his bayonet, another struck me and  
20 laid me on the ground. I was violated by one of them  
21 under the eyes of three others, one of whom was  
22 threateneing me with his bayonet. Previously they had  
23 torn my clothes off me."  
24  
25



1 Prosecution document No. 2772-E-5 is offered  
2 for identification only and the excerpts marked are  
3 offered in evidence.

4 THE PRESIDENT: Admitted on the usual terms.

5 CLERK OF THE COURT: Prosecution's document  
6 No. 2772-E-5 will receive exhibit No. 2120 for iden-  
7 tification, and the marked excerpts therefrom bearing  
8 the same document number will receive exhibit No.  
9 2120-A.

10 (Whereupon, the document above re-  
11 ferred to was marked prosecution's exhibit  
12 No. 2120 for identification, the excerpts there-  
13 from being marked prosecution's exhibit No. 2120-A  
14 and received in evidence.)

15 MAJOR DEPO: The witness of Indo-Chinese  
16 origin mentions in particular the punishment of a  
17 French captain, the massacre of 13 officers and sol-  
18 diers of the Engineers and the forced obligation of  
19 Indo-Chinese women to give themselves up for prostitu-  
20 tion.

21 With the Court's permission I will now read  
22 the marked excerpts:

23 "After four days of freedom, I was arrested in  
24 the town by the Japanese and taken to their Military  
25 Police H.Q. situated behind the hospital of the



1 Indo-China Guard. One day, having to go to the  
2 W.C., I saw in one of the outhouses the window  
3 shutters of which were partly open, the body of  
4 Captain Linard hanging by the thumbs. His head was  
5 turned towards the window and lolling to one side.  
6 It appeared to me that he was dead.

7 I remained shut up in Japanese military police  
8 H.Q. for 8 days and then let go. After that I was  
9 arrested on several occasions and violently beaten.  
10 The Japanese rebuked me for my relations with the  
11 French.

12 "On the mound LE DUC HINH, I saw the corpses  
13 of six French soldiers, one of which had been com-  
14 pletely decapitated. In the direction of CO LEN I  
15 saw corpses of 3 French NCOs.

16 "In the city, near the market I saw 8 corpses  
17 which were afterwards buried in nearby trenches.

18 "I was able to wander in the direction of Fort  
19 Negrier and to TO SON; I saw there numerous corpses  
20 of French soldiers in an advanced state of decomposi-  
21 tion unburied.

22 "In the course of their investigation at Lang  
23 Son, the Japanese forced several of my fellow-country-  
24 women who were living with French soldiers, to follow  
25 them to a brothel which they had set up at TIEN YEN.



1 By means of a trick I was able to escape them."

2 The prosecution now offers in evidence  
3 document No. 2772-A-4, affidavit of Fernand Casaula.

4 THE PRESIDENT: Admitted on the usual terms.

5 CLERK OF THE COURT: Prosecution's document  
6 No. 2772-A-4 will receive exhibit No. 2121.

7 (Whereupon, the document above re-  
8 ferred to was marked prosecution's exhibit  
9 No. 2121 and received in evidence.

10 MAJOR DEPO: The witness relates the violation  
11 and assassination of a European woman at Lang-Van and  
12 the violation of a young Frenchwoman, wounded and  
13 subsequently disappeared.

14 With the Court's permission I will now read  
15 this document:

16 "AFFIDAVIT. CASAULA Fernand; born 6 Sept.  
17 1900 at Bordeaux. Son of Maria CASAULA. Address in  
18 France: 72 Rue Mandron, Bordeaux.

19 "AT HAGIANG: About 2100 hours on the evening of 27  
20 March 1945 I was called by a Japanese corporal and  
21 taken out of the post of Quang Ba into a cain ha  
22 (native house) where about 15 Indochinese civilians  
23 were gathered round a wounded person stretched out  
24 on a bunk (bat-flanc). I was asked to identify her.  
25 I came near and recognized Miss Andree RENARD of

1 Hagiang. The corporal told me to question her about  
2 her wound and how she came to be in Quang Ba.

3 "After her father had been killed by a stray  
4 bullet during the night 9/10 March 1945 Miss Renard  
5 and her mother had fled through the forest and had  
6 succeeded in reaching Lang Van. On 26 March 1945, she  
7 and her mother were stopped by Japanese soldiers who  
8 violated them and then killed her mother with bayonet  
9 thrusts. Miss Renard having had only her left shoul-  
10 der pierced through was able to escape and get to  
11 Quang Ba. During this account, the Japanese corporal  
12 was sitting on the bunk and having put his hands under  
13 Miss Renard's dress and applied himself to feeling  
14 her in a disgusting manner. An interpreter translated  
15 our conversation to the Japanese corporal.

16 "The Japanese doctor being absent, I asked  
17 authority to give the necessary medical care to Miss  
18 Renard. They paid no attention to my request and two  
19 soldiers took me back to my room.

20 "Next day I tried to get some news of the wounded  
21 girl. The Japanese corporal answered me that her  
22 wound smelt bad.

23 "I presume that Miss Andree Renard was violated  
24 again several times during the night 27/28 March 1945  
25 and that she must have died as a result of these



1 outrages and of her neglected wound. For in spite  
2 of the investigations which were undertaken, no trace  
3 of her was ever been recovered. (Signed) F. CASAULA."

4 THE PRESIDENT: Needless to say, we will  
5 disregard all such assumptions.

6 MAJOR DEPO: The affidavit of Madame  
7 Remigereau Paulette, IPS document No. 2772-A-5 is  
8 offered for identification and the marked excerpts  
9 are offered in evidence.

10 THE PRESIDENT: Admitted on the usual terms.

11 CLERK OF THE COURT: Prosecution's document  
12 No. 2772-A-5 will receive exhibit No. 2122 for iden-  
13 tification only; the marked excerpts therefrom, bearing  
14 the same document number, will receive exhibit No.  
15 2122-A.

16 (Whereupon, the document above referred  
17 to was marked prosecution's exhibit No. 2122 for  
18 identification, the excerpts therefrom being  
19 marked prosecution's exhibit No. 2122-A and  
20 received in evidence.)

21 MAJOR DEPO: This deposition contains the  
22 account of the ill treatment and tortures undergone  
23 by a French woman and the violation of another French-  
24 woman.

25 With the Court's permission will now read the

marked excerpts:

"Deposition of Mrs. Remigereau (Paulette).

"Received by us, Raymond Guillien, Professor of the Faculties of Law, charged with the investigation of War Crimes in North Indo-China.

"Toward 1900 or 2000 a Japanese had me go out onto the stairway and gagged me with a napkin. I was able to pull off the napkin, cry out and, despite being tripped up, return to the bunk. An hour of quiet followed, I was then motioned to get off the bunk. I refused. Then I was struck by a Japanese with the flat of the bayonet on the abdomen and the thighs, and by another Japanese by rattan blows. I was also slapped. New respite. Then to see whether I was asleep they would strike my feet with their bayonets or burn my ankles with cigarettes.

"The next day, 11 March, toward 10000 the Japanese brought in 10 prisoners. It was then that a Japanese made a sign to Mrs. V.... and to me from the door to follow him, Then, accompanied by one other, he made us go up to the third /U.S. fourth/ floor. Mrs. V..... had to follow a Japanese into a room. Another Japanese, in turn, made me take off my slip and stretch out on a mat. My state of pregnancy saved me. Mrs. V.... came down a moment after me.



1 Immediately she confided to me that she had been  
2 violated. In the course of the day they came for  
3 her five times. The husband of Mrs. V.... was slapped  
4 in order that he would not oppose the successive de-  
5 partures of his wife.

6 "During the day of the 12th Mrs. V..... was again  
7 violated five times. They left me on the other hand  
8 in complete peace."

9 Prosecution document No. 2772-A-6, affidavit  
10 of Cecile Cazajous, is submitted to the Court for  
11 identification and the marked passages are offered  
12 in evidence.

13 THE PRESIDENT: Admitted on the usual terms.

14 CLERK OF THE COURT: Prosecution's document  
15 No. 2772-A-6 will receive exhibit No. 2123 for iden-  
16 tification only; the marked excerpts therefrom, bearing  
17 the same document number, will receive exhibit No.  
18 2123-A.

19 (Whereupon, the document above re-  
20 ferred to was marked prosecution's exhibit  
21 No. 2123 for identification, the excerpts there-  
22 from being marked prosecution's exhibit No.  
23 2123-A.)

24 MAJOR DEPO: This affidavit completes the  
25

1 previous document No. 2772-A-5, already introduced  
2 in evidence and bearing exhibit No. 2122, but it also  
3 mentions the massacre at the bridge of Yen Bien at  
4 Hagiang (Tonkin) of 23 French soldiers, prisoners of  
5 war.

6 With the Court's permission I will read the  
7 marked excerpts:  
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1 MAJOR DEPO: "Affidavit of Cazajous, Cecile,  
2 Agnes, Valentine, born 21 November 1905 at Aricizans-  
3 Avant (Hautes-Pyrenees); wife of Adjutant Flouret;  
4 daughter of Cazajous, Jean, and of Anastasie, Lacaze.  
5 Domicile in France: Gonteau (Lot-et-Garonne).

6 "My husband and I were placed in the yard,  
7 stripped of all we possessed, bound, struck with rifle  
8 butts (I have some scars on my scalp and on my left  
9 socket), loaded with the arms taken from the Tri-Chau's  
10 and we were taken near the bridge of Yen Bien where we  
11 served as shields between the French troops on the  
12 one hand and the Japanese troops on the other who were  
13 continuing the fight. We remained there till morning  
14 and were then taken to one of the fermes des jeux  
15 /amusement center/ of the neighborhood.

16 "I was at first closed up in one of the rooms  
17 of the ferme des jeux with my husband, Mrs. Remigereau  
18 (friend of Adjutant Perriolat), Sergeant Jobert, a  
19 Navy Quartermaster and 23 other French military  
20 personnel. These 23 military personnel were assembled,  
21 taken to the bridge of Yen Bien and massacred. The  
22 first five, which included me, were kept in the quar-  
23 ters that we occupied and it was there, under the eyes  
24 of my husband, that I had to suffer the first assaults  
25 of the soldiery which I resisted efficaciously.



1            "In the course of the night 10/11 March 1945  
2 I was transferred to a neighboring room along with  
3 Mrs. Remigereau and I had to yield to the brutalities  
4 of the Nips. I was also violated five times, including  
5 once under the eyes of Mrs. Remigereau who was spared  
6 after being examined.

7            "The deeds took place in the following manner:  
8 The first time I was taken to a side room with  
9 Mrs. Remigereau by two guards. They beat us violently  
10 and laid us on the floor. One of them tore off my  
11 slip and violated me. In the course of the night on  
12 four separate occasions I was taken out and violated  
13 in the same manner. Those guilty were always armed  
14 and completely equipped. My husband who was incarcerated  
15 in the same room as I could say nothing when they came  
16 to get me, for he was bound and every time he attempted  
17 to intervene received numerous and violent blows."

18            The affidavit of Moullet, Albert, Battalion  
19 Commander, prosecution document No. 2772-A-3, is  
20 offered for identification and the marked excerpts  
21 offered in evidence.

22            THE PRESIDENT: Admitted on the usual terms.

23            CLERK OF THE COURT: Prosecution's document  
24 No. 2772-A-3 will receive exhibit No. 2124 for identi-  
25 fication only. The marked excerpt therefrom, bearing



1 the same document number, will receive exhibit  
2 No. 2124-A.

3 (Whereupon, prosecution's document  
4 No. 2772-A-3 was marked prosecution's exhibit  
5 No. 2124 for identification; and the excerpt  
6 therefrom was marked prosecution's exhibit  
7 No. 2124-A and received in evidence.)

8 MAJOR DEPO: This document mentions the  
9 specially hateful violation and assassination of two  
10 French women. Moreover, he gives the schedule of the  
11 executions of prisoners of war at Hagiang.

12 With the Court's permission, and for reasons  
13 of convenience, we shall read to the Court some marked  
14 excerpts from this document when we deal with the part  
15 relative to prisoners of war.

16 Prosecution document No. 2772-D-3, which is  
17 a report by Captain Merian, of the French Gendarmerie,  
18 is offered to the Court in evidence.

19 THE PRESIDENT: Admitted on the usual terms.

20 CLERK OF THE COURT: Prosecution's document  
21 No. 2772-D-3 will receive exhibit No. 2125.

22 (Whereupon, the document above  
23 referred to was marked prosecution's exhibit  
24 No. 2125 and received in evidence.)

25 MAJOR LEPO: This report relates an incident

1 concerning blows and wounds on the persons of three  
2 Indo-Chinese of Bac-Ninh of whom one died as a result  
3 of this violence.

4 I will not read this document to the Court.

5 Document No. 2772-L-4 of the prosecution,  
6 being the report of a French officer, Captain Merian,  
7 of the Gendarmerie, is offered to the Court in  
8 evidence.

9 THE PRESIDENT: Admitted on the usual terms.

10 CLERK OF THE COURT: Prosecution's document  
11 No. 2772-D-4 will receive exhibit No. 2126.

12 (Whereupon, the document above  
13 referred to was marked prosecution's exhibit  
14 No. 2126 and received in evidence.)

15 MAJOR DEPO: It is the record of the tortures  
16 and ill-treatment undergone by an Indo-Chinese, Phong  
17 Duy Thieu, and by a Frenchman, Mr. Surena, at Japanese  
18 Military Police Headquarters at Hanoi.

19 I will not read this document to the Court.

20 Prosecution document No. 2772-L-5, report of  
21 Captain Merian, of the Gendarmerie, is offered in  
22 evidence.

23 THE PRESIDENT: Admitted on the usual terms.

24 CLERK OF THE COURT: Prosecution's document  
25 No. 2772-D-5 will receive exhibit No. 2127.



1 (Whereupon, the document above  
2 referred to was marked prosecution's exhibit  
3 No. 2127 and received in evidence.)

4 MAJOR DEPO: This report relates the grave  
5 violence suffered in 1942 by a Frenchman, Mr.  
6 Casabianca, shut up in a cage of the Japanese Military  
7 Police Headquarters at Hanoi.

8 I will not read this document to the Court.  
9 The affidavit of Babin, Pierre, prosecution  
10 document No. 2772-L-7, is offered to the Court in  
11 evidence.

12 THE PRESIDENT: Admitted on the usual terms.

13 CLERK OF THE COURT: Prosecution's document  
14 No. 2772-L-7 will receive exhibit No. 2128.

15 (Whereupon, the document above  
16 referred to was marked prosecution's exhibit  
17 No. 2128 and received in evidence.)

18 MAJOR LEPO: This document relates to the  
19 tortures and ill-treatment which French civilians  
20 interned at police headquarters and in the prison at  
21 Hanoi had to undergo.

22 With the Court's permission, I will now read  
23 this document.

24 "Affidavit of Babin, Pierre, Director of  
25 Breweries & Ice Works of North Indo-China. Born

1 10 October 1904, at Arpajon (Seine, Oise); son of  
2 Babin, Jules Louis Desire, and Marguerite Bardon.  
3 Living at: Hommel Breweries, Hanoi.

4 "At Hanoi:

5 "Arrested for an unknown reason, I was shut  
6 up at the police station from 12th of April to 24th of  
7 May - at the prison for four days, then at the citadel  
8 up to 29th of August.

9 "Interrogated on my curriculum, I did not  
10 have to endure personally any of the cruelties  
11 practiced on a number of my comrades detained with me,  
12 but I witnessed them.

13 "It was in this way that I saw first the tor-  
14 tures inflicted on F. Martin, Director of Air France,  
15 made to kneel down on broken bricks and beaten savagely  
16 for two hours with blows of a club, a rubber truncheon  
17 and also kicked.

18 "Secondly, the tortures inflicted on Winter,  
19 Henri, made to kneel on bars of wood with sharp edges,  
20 beaten violently with a horsewhip, belts and fists  
21 and torture by electricity for nearly an hour in periods  
22 of 10 minutes separated by 10 minutes rest. Loss of  
23 weight: 14 kilos (38 lbs).

24 "Thirdly, the return after interrogation of  
25 Destombes, entirely covered with blows from neck to



1 feet. He remained for three days in a state bordering  
2 on coma.

3 "I confirm the cases of typhus of Nadaillat  
4 and Saumon, Bence and Barth, Henri.

5 "As for the diet at the police station, it  
6 was composed of the remains of rice mixed with lime in  
7 a ball (two balls a day for each prisoner) and weeds  
8 boiled in water, representing in all 150 grams of dry  
9 rice a day. For 20 days only one bowl (cai-bat) of  
10 'la voi' /a kind of rice mixture/ was distributed for  
11 six prisoners."

12 The affidavit of Lawyer Philippe Duquesnay,  
13 advocate at Hanoi, prosecution document No. 2772-L-8,  
14 is offered in evidence.

15 THE PRESIDENT: Admitted on the usual terms.

16 CLERK OF THE COURT: Prosecution's document  
17 No. 2772-L-8 will receive exhibit No. 2129.

18 (Whereupon, the document above  
19 referred to was marked prosecution's exhibit  
20 No. 2129 and received in evidence.)

21 MAJOR LEPO: The witness relates the tortures  
22 and the ill-treatment inflicted on French civilians  
23 detained at the prison of Hanoi and in the premises  
24 of the Shell Company, which had been turned into a  
25 prison by the Japanese Military Police.

1 This document completes prosecution document  
2 No. 2772-D-7, already introduced in evidence and marked  
3 exhibit No. 2128, in so far as the regime of the  
4 prison is concerned.

5 I will not read this document to the Court.

6 Prosecution document No. 2772-D-9, affidavit  
7 of Mr. Guy Nourrit, barrister at Hanoi, is offered to  
8 the Court in evidence.

9 THE PRESIDENT: Admitted on the usual terms.

10 CLERK OF THE COURT: Prosecution's document  
11 No. 2772-I-9 will receive exhibit No. 2130.

12 (Whereupon, the document above  
13 referred to was marked prosecution's exhibit  
14 No. 2130 and received in evidence.)

15 MAJOR DEPO: The witness gives a description  
16 of the treatment meted out to the French in detention  
17 at the police headquarters of Hanoi.

18 With the Court's permission, I will now read  
19 this document.  
20  
21  
22  
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"Affidavit of Nourrit, Guy (Barrister)

Born 7 June 1916 at Marseilles. Son of Nourrit, Jean, and of Arnal, Emmeline. Domicile: 40 Boulevard Gambetta, Hanoi.

"At Hanoi

"I was arrested on 19 May 1945 for belonging to a Resistance group. I was immediately shut up in a cell of the Surete (cell No. 16), where I found a person, M. Leopold Giraud, arrested for the same reason on 1st April. Subsequently two other prisoners were to join me in this cell.

"There were afterward two classes of prisoners: 1) Those who, like me, were put in cells. 2) Those who were put in a cage. No special criterion decided the allotment to one or the other class. This appeared to be left solely to the whim of the Japanese jailers.

"Differences:

"The cell in which I found myself contained 4 prisoners, of whom one was an Annamite, a plunderer of corpses. The Japanese, in effect, spared no pains, to increase the inconveniences of the detention for the French, by putting with them one or more Annamites, common law felons. The cell contained a bunk on which only one of us could lie in

1 a somewhat cramped position. The others were  
2 reduced to squatting on the earth at night. It was  
3 impossible to change position. The cell was only  
4 about 3 metres long. As to its breadth one could  
5 touch the opposite wall by stretching out the arms.  
6 Daylight penetrated by a 15 to 20 cm grating in the  
7 door. The latter was opened for 5 minutes every day  
8 to allow us to go to the W.C. We had no chance of  
9 washing.

10 "The prisoners who were put in a cage 20  
11 metres long by 7 or 8 wide never went out of it at  
12 all, a W.C. being placed in a corner of the enclosure.  
13 Though they had the possibility of walking about  
14 and talking with about ten other co-prisoners and  
15 to see the daylight through 2 or 3 windows, the  
16 hygienic conditions of their stay were none the  
17 less extremely painful. There were 30 or 40 penned  
18 up in one enclosure. Vermin, as in the cells,  
19 swarmed. There was an occasion when a dead body,  
20 it was in summer, remained in the midst of the  
21 prisoners for 24 hours.

22 "Ordinary Routine:

23 "Twice a day at 2 p.m. and at 8 in the  
24 evening we received a ball of rice with a little  
25 salt, a bit of herbs and a cai-bat-coffee cup--of



1 tea. It was, let me repeat, in summer and our  
2 bodies demanded a more abundant amount of liquid.  
3 We never had meat. A diet of this kind produced a  
4 perceptible loss of weight after a period of days.  
5 It was very weakening and as far as I myself was  
6 concerned continued to feel the effects for several  
7 months. We were not allowed to receive any changes  
8 of linen.

9 "The monotony of the imprisonment was  
10 broken by the interrogations which we underwent,  
11 the pleasure of being beaten up with clubs or better  
12 still, of torture by electric current. In this  
13 respect certain prisoners (Messrs. Lanata of the  
14 Air France Company, Roger Laurent of the Public  
15 Works, Bjerring, former commandant of the 5th R.E.  
16 /Strangers Regiment/ were reduced to such a bad  
17 condition that the Japanese thought fit to have them  
18 hospitalized. Commandant Bjerring died in the  
19 hospital from tortures he had undergone.

20 "Mr. Giraud (Leopold) who was in the same  
21 cell as I was, was one of the most tortured of the  
22 persons detained by the Surete. He was in the cell  
23 about 5 months and was sent to the Citadel by the  
24 Japanese in a state of extreme weakness. Mr. Roger  
25 Laurent mentioned above was hospitalized for long

1 months and also had his health particularly  
2 damaged."

3 Prosecution document No. 2772-D-10, affi-  
4 davit of Talba, Henri, is submitted for identifi-  
5 cation and the marked excerpts are offered in  
6 evidence.

7 THE PRESIDENT: Admitted on the usual  
8 terms.

9 CLERK OF THE COURT: Prosecution's docu-  
10 ment No. 2772-D-10 will receive exhibit No. 2131,  
11 for identification only, and the marked excerpt  
12 therefrom, bearing the same document number, will  
13 receive exhibit No. 2131-A.

14 (Whereupon, the document above  
15 referred to was marked prosecution's  
16 exhibit No. 2131 for identification, and  
17 the excerpts therefrom were marked prose-  
18 cution's exhibit No. 2131-A and received  
19 in evidence.)  
20

21 MAJOR DEPO: The witness relates the  
22 tortures which he had undergone at the Japanese  
23 military police headquarters of Tong.

24 With the Court's permission I will read  
25 the marked excerpts.

"Affidavit of Talbe, Henri Gontran, born



1 at Marin (Martinique) on 28 March 1907. Son of  
2 Gaston Francois Talbe and of Julia Lavilette.  
3 Address, 32, Capitaine Do-Hun-Vi Street, Hanoi.

4       "/stamp/ Service of War Crimes at Saigon,  
5 September 24, 1946.

6       "At Tong and Hanoi.

7       "Savagely and repeatedly beaten by fists  
8 and rifle butts, I was tied to a tree by means of  
9 a cord tied round and round my body. I was left  
10 in this state for six times twenty-four hours, with-  
11 out drinking nor eating (from 6 April at 9 o'clock  
12 to 12 April about 8 o'clock in the morning). My  
13 Annamite wife's attempts to feed me remained all  
14 in vain, the Japanese driving her back at each of  
15 her attempts. In the above-described state, every  
16 evening towards nightfall I saw an Indo-Chinese  
17 with fixed bayonet rifle put under my chin in such  
18 a manner that I could not take any rest during the  
19 night and that all attempts at sleep were impossible  
20 since they were at once interrupted by the plunging  
21 of the bayonet into the throat under the weight of  
22 the head falling forward. In the daytime, the rifle  
23 and its bayonet were taken away, but several  
24 Japanese officers, non-commissioned officers and  
25 soldiers after having put on boxing gloves, practiced

1 boxing for hours on my bruised body and face.

2 "During 6 times 24 hours, I was not even  
3 untied to satisfy the calls of nature and I had  
4 to relieve myself by soiling myself, without it  
5 being possible for me to wash myself before 12 April,  
6 the day when I was able to make a little toilet  
7 after having been untied and before riding in the  
8 truck which was to bring me to Hanoi."

9 The affidavit of Tanguy, Joseph, prosecu-  
10 tion document No. 2772-D-11, is introduced to the  
11 Court for identification. The marked excerpts are  
12 offered in evidence.

13 THE PRESIDENT: Admitted on the usual  
14 terms.

15 CLERK OF THE COURT: Prosecution's docu-  
16 ment No. 2772-D-11 will receive exhibit No. 2132  
17 for identification only, and the marked excerpt  
18 therefrom, bearing the same document number, will  
19 receive exhibit No. 2132-A.

20 (Whereupon, the document above  
21 referred to was marked prosecution's  
22 exhibit No. 2132 for identification, and  
23 the excerpts therefrom were marked prose-  
24 cution's exhibit No. 2132-A and received  
25 in evidence.)



1 MAJOR DEPO: This document relates to the  
2 assassination of a French couple at Hanoi.

3 I will not read this document to the Court.

4 The affidavit of Belgodere, Antoine, prose-  
5 cution document No. 2772-D-12, is offered in  
6 evidence.

7 THE PRESIDENT: Admitted on the usual  
8 terms.

9 CLERK OF THE COURT: Prosecution's docu-  
10 ment No. 2772-D-12 will receive exhibit No. 2133.

11 (Whereupon, the document above  
12 referred to was marked prosecution's ex-  
13 hibit No. 2133 and received in evidence.)

14 MAJOR DEPO: The witness, who was imprisoned  
15 in the premises of the Shell Company at Hanoi, gives  
16 an account of the bad treatment and tortures inflict-  
17 ed on French civilians. In particular he relates  
18 the death of a European victim of these atrocities.  
19 This document is supplementary to prosecution docu-  
20 ment No. 2772-D-8, already introduced in evidence  
21 and bearing exhibit No. 2129. I quote:

22 "I saw several times M. Laurent subjected  
23 to torture by magneto. I saw the beating with  
24 rubber clubs carried out at the prison on 14 May  
25 on the persons of Messrs. Littee. Mazerm, etc., one

1 after another.

2 "On April 15 confronted with Mr. Cero, I  
3 witnessed the brutalities inflicted on him by the  
4 Japanese by means of a hard wooden ruler with  
5 metal edges. These brutalities although relatively  
6 light by reason of the kind of instrument used,  
7 were none the less painful to the victim, who was  
8 in a precarious state of health and who moreover  
9 died two days after."

10 Prosecution document No. 2772-F-1, which  
11 is the affidavit of Robert, Marcel, is presented  
12 to the Court for identification and the marked  
13 excerpts are offered in evidence.

14 THE PRESIDENT: Admitted on the usual  
15 terms.

16 CLERK OF THE COURT: Prosecution's docu-  
17 ment No. 2772-F-1 will receive exhibit No. 2134  
18 for identification only, and the marked excerpt  
19 therefrom, bearing the same document number, will  
20 receive exhibit No. 2134-A.

21 ("Whereupon, the document above  
22 referred to was marked prosecution's  
23 exhibit No. 2134 for identification, and  
24 the excerpts therefrom were marked prose-  
25 cution's exhibit No. 2134-A and received



1 in evidence.)

2 MAJOR DEPO: This witness tells the  
3 tortures of which he was the victim at Cao-Bang,  
4 ordered by two Japanese officers of whom one was  
5 a superior officer.

6 With the Court's permission I will now  
7 read the marked excerpt.

8 "Affidavit of Robert, Marcel, born the  
9 18th September 1915, at Hanoi. Son of Robert,  
10 Leopold, and of Nguyen thi Ngo. Domicile: 11, Rue  
11 Jacquin, Hanoi.

12 "At Cao Bang,

13 (Arrested at the post of Trung Khanh Phu  
14 the 20th March 1945, I remained interned there until  
15 April 4th, while awaiting successive transfers to  
16 Cao Bang the 4th of April, Lang Son the 19th of  
17 April, and Hanoi the 5th of June.

18 "In order to force confessions from me  
19 concerning stocks of arms, of munitions, fuel and  
20 supplies existing in the region and of which I  
21 knew the whereabouts, I was submitted to the follow-  
22 ing acts of violence and torture:

23 "Hands bound behind the back of the chair  
24 on which I was sitting, hanging from the wrists  
25 (tied behind my back) about one meter from the

1 ground, for more than two hours and swung from one  
2 end to the other of the gaming room of Trung Khanh  
3 Phu. I was at the mercy of several Japanese soldiers  
4 and each one, as my body came within his reach, hit  
5 me with whip, stick and butt of a Thompson rifle.

6 "In addition, the difficulties of transla-  
7 tion between Mr. Gleron and the Japanese decided the  
8 latter to have recourse to my good offices. While  
9 remaining tied to my bench I was brought back near  
10 to the place of torture. The confessions desired  
11 by the Japanese not yet being forthcoming, I was  
12 submitted to another group of tortures: a soldier  
13 held my head with one hand and with the other stopped  
14 my mouth - during this time a second soldier poured  
15 cold water from a teapot into my nostrils, my head  
16 thrown backwards to a position lower than the bench  
17 on which I was lying. This operation was repeated  
18 about fifteen times and the teapot was filled as  
19 many times. This produced in me the early stages  
20 of asphyxia and I estimate that I must have had  
21 about 3 or 4 litres of water forced down me.

22 "I do not know the names of the subalterns  
23 who inflicted the tortures I have described but, on  
24 the other hand, I know those of the Japanese chiefs  
25 who gave the orders. They are: Commander NITTA or



1 NITSUTA and Captain CHIBA.

2 "It was the Japanese commander and captain  
3 who gave me their names before having me tortured."

4 Prosecution document No. 2772-G-1, the  
5 affidavit of Poli, Dominique, is offered to the Court  
6 in evidence.

7 THE PRESIDENT: Admitted on the usual  
8 terms.

9 CLERK OF THE COURT: Prosecution's docu-  
10 ment No. 2772-G-1 will receive exhibit No. 2135.

11 (Whereupon, the document above  
12 referred to was marked prosecution's ex-  
13 hibit No. 2135 and received in evidence.)  
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1 MAJOR DEPO: This document comprises the  
2 account of the tortures endured by the witness at  
3 the Japanese Military Police Headquarters of Hanoi.  
4 I quote:

5 "Next day at 7 o'clock in the morning I  
6 was taken to the Japanese Police Headquarters in  
7 the BONAL Blvd., taken into an office there and told  
8 to take off my clothes. I was then bound to a table  
9 flat on my back. Without asking me any questions  
10 they inflicted the water punishment on me several  
11 times. Then I was unbound and dressed myself and  
12 was told to reflect.

13 "Next day the same performance, but this  
14 time all day long. The day after that I was threatened  
15 with having to submit to torture under the eyes of my  
16 children. Always I was tortured the whole day long  
17 but my children were not brought there.

18 "I had to undergo a daily period of torture  
19 until the 27th, the day on which I was to have been  
20 shot. On the 27th I was finally taken back to the  
21 police station where I was put in a cell in company  
22 with other companions."  
23

24 Prosecution document No. 2772-G-2, affidavit  
25 of LIMOUSIN Francois, is offered to the Court in  
evidence.



1 THE PRESIDENT: Admitted on the usual terms.

2 CLERK OF THE COURT: Prosecution's document  
3 No. 2772-G-2 will receive exhibit No. 2136.

4 (Whereupon, the document above re-  
5 ferred to was marked prosecution's exhibit  
6 No. 2136 and received in evidence.)

7 MAJOR DEPO: In this document, the witness  
8 gives an account of the tortures and ill-treatment  
9 endured by himself and the French imprisoned at  
10 Haiphong in the premises of the Shell Company, and  
11 at the Central Prison.

12 With the Court's permission I will read this  
13 document.

14 (Reading) "AFFIDAVIT

15 "Monsieur Francois LIMOUSIS

16 "Born: 27-4-1893 at Carcassonne (Aude).

17 "Parents: Emile and Anna BARAT.

18 "Profession: Dock Director HAIPHONG

19 "Home address: 9 Rue de Marechal

20 "Joffre, HAIPHONG.

21 "I was arrested on 12 April as an F. F. I.  
22 The Japanese Military Police took me to the Shell  
23 premises in the Boulevard Gambetta where they shut  
24 me up in an underground dungeon after taking away from  
25 me everything I had in my possession. There were about

1 twenty French in the dungeon and some verminous,  
2 scabious Annamites who, in the course of a few days,  
3 covered us all with lice. Each of us received daily  
4 about 150 grams of rice, in all three (3) bowls.

5 "The military police forced us to remain  
6 from morning till bedtime sitting in the Japanese  
7 fashion with the legs crossed. It was forbidden  
8 to lean against the wall or change one's position.  
9 We were also forbidden to receive anything at all  
10 from outside.

11 "On 17 April I was taken to the second story  
12 where my interrogation began. I was clubbed on the  
13 head by the Japanese interpreter and a gendarme.  
14 This treatment continued on the 18th, 19th and 20th  
15 April. For 17 days I never had a motion of the bowels  
16 owing to the scanty amount of food. Some of my  
17 companions did not have a motion for 26 days. On  
18 10 May we were removed to the Central Prison in Hanoi  
19 ill and weak and subject to fainting fits.

20 "There we were lodged 45 of us in a room  
21 built for twenty-four (24). There was one bucket in  
22 the middle of the floor for relieving ourselves. The  
23 food was tainted, composed of rice of the poorest  
24 quality, uncleaned and frequently sour. The only  
25 seasoning was a few slices of sweet potato and some



1 broken bits of dried fish.

2 "Towards the 22nd of May a Japanese gendarme  
3 called me, handcuffed me and chained me to another  
4 comrade of the F. F. I. named PORNIN and took us,  
5 guarded by two Japanese soldiers, to the police  
6 station where I was once more interrogated. My nega-  
7 tive answers got me a very severe beating and elec-  
8 trodes were fixed to my ears and connected with a  
9 magneto. When further interrogation failed to give  
10 satisfaction to the Japanese the magneto was started  
11 and I was subjected, for an hour or more, to electric  
12 shocks of high frequency which flung me about uncon-  
13 trolledly and caused me to lose consciousness several  
14 times.

15 "In order to get admissions about certain  
16 tasks which had been entrusted to me these experiences  
17 were repeated for four days. In my firm decision not  
18 to utter a word and never to betray the oath which I  
19 had made to my chief, the Commandant DJERRING, I  
20 clenched my tongue firmly between my teeth. A violent  
21 electric shock with the electrodes in my nostrils  
22 contracted and paralysed my jaws. I bit through  
23 my tongue on each side, blood flooded from my mouth  
24 and I fell insensible.

25 "I was taken back to prison where I was

1 overcome by nervous tremblings, my tongue was swollen  
2 and I could not move my jaw to the extent that I  
3 was unable to swallow solid food or speak for about  
4 20 days. On the following day the Japanese at the  
5 place of interrogation, realizing that I could not  
6 speak beat me and after jesting for a while seized  
7 my sexual organs in his bare hands and twisted them  
8 violently causing me horrible pain, cold sweat and  
9 complete unconsciousness.

10 "I was brought to myself by being kicked in  
11 the ribs and taken back to prison. My friends attended  
12 to me and treated my inflamed and swollen organs with  
13 cold compresses. This was the last time I was tor-  
14 tured. My chief, Commandant DJERRING, died as a  
15 result of the ill-treatment and privations which he  
16 had endured.

17 "I was imprisoned in the citadel at HANOI  
18 on 29 May 1945. I found that I had lost 17 kilogrammes  
19 (40 lbs) in weight since my first imprisonment. The  
20 doctor who examined me found I had a hernia on the  
21 right side and a rupture on the left, both due either  
22 to the treatment or the privations I had experienced.

23 "The gendarme who worked the magneto and  
24 twisted my testicles was called 'The American'. I  
25 can recognize him."



1 Prosecution document No. 2772-G-3, the  
2 affidavit of CLAVE, Jeanne, is offered in evidence.

3 THE PRESIDENT: Admitted on the usual terms.

4 CLERK OF THE COURT: Prosecution's document  
5 No 2772-G-3 will receive exhibit No. 2137.

6 (Whereupon, the document above re-  
7 ferred to was marked prosecution's exhibit  
8 No. 2137 and received in evidence.)

9 MAJOR DEPO: Madame CLAVE, wounded by a  
10 bayonet thrust, describes the looting of her house  
11 and an attempt at violation of which she was the  
12 witness.

13 I will not read this document to the Court.  
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1 MAJOR DEPO: The report of Captain MERIAN  
2 of the French Gendarmerie, prosecution document No.  
3 2772-G-5, is offered in evidence.

4 THE PRESIDENT: Admitted on the usual terms.

5 CLERK OF THE COURT: Prosecution document  
6 2772-G-5 will receive exhibit No. 2138.

7 (Whereupon, the document above referred  
8 to was marked prosecution's exhibit 2138 and  
9 received in evidence.)

10 MAJOR DEPO: This report details the tor-  
11 tures inflicted on an Indo-Chinese, THUY NGUYEN  
12 of Kien-Nan, after he had been arrested on a false  
13 charge of theft. I will not read this document at  
14 all.

15 Prosecution document No. 2772-G-4, which  
16 is the affidavit of CHEVIN, Louis, is offered to  
17 the Court in evidence.

18 THE PRESIDENT: Admitted on the usual terms.

19 CLERK OF THE COURT: Prosecution document  
20 No. 2772-G-4 will receive exhibit No. 2139.

21 (Whereupon, the document above referred  
22 to was marked prosecution's exhibit No. 2139  
23 and received in evidence.)  
24  
25



1 MAJOR DEPO: In this document Mr. CHEVIN  
2 relates the acts of violence and atrocities which  
3 he has undergone, as well as the massacre of the  
4 crew of an American plane in the outskirts of  
5 Haiphong. With the Court's permission I will now  
6 read this document.

7 (Reading) "Affidavit M'sieur CHEVIN Louis  
8 "Born 26 January 1902 at HYERES (Var)  
9 "Parents: Vindent and Angelina REYRE.  
10 "Profession: Manager T. P.  
11 "Address: 7 rue de Marshal Joffre, Haiphong.  
12 "(Stamp) WAR CRIMES COMMISSION SAIGON  
13 "24 Sept. 1946

14 "I was arrested on 17 April 1945 along with  
15 all others who belonged to the 'Resistance,' after  
16 having been called together at the office of the  
17 Franco-Japanese Liaison Mission. I was taken to  
18 the police station and questioned by an N.C.O.  
19 of the Military Police assisted by an interpreter.

20 "In the course of this questioning which  
21 lasted from noon till 11 PM I was struck, had my  
22 joints dislocated, was choked by strangulation and  
23 thrown down by jiu jitsu. I became unconscious  
24 three times.

25 "I was twice subsequently questioned in the

1 same manner on the 18th and 19th, refusing to point  
2 out the position of the arms store which I was in  
3 charge of. My torturers paid special attention to  
4 the places where I had been injured during the  
5 previous interrogation.

6 "The Military Police N.C.O. who questioned  
7 me and at the same time acted as torturer is the  
8 same man who executed an American airman belonging  
9 to the crew of a plane which was shot down on the  
10 outskirts of Haiphong. This plane was shot down  
11 before the 9 March and I witnessed this massacre  
12 on the embankment of Cua-Cam.

13 "In consequence of an infection due to ill-  
14 treatment, I was sent to hospital about July in  
15 Haiphong Hospital. On 14 August, though still  
16 under treatment and seriously affected, I was taken  
17 back to the prison by the Japanese and shut up  
18 with severely wounded officers and N.C.O's. in the  
19 condemned cells. We were freed on 9 Sept. by the  
20 American Mission who conducted an inquiry into this  
21 matter."

22 Prosecution document No. 2772-J-4 is now  
23 submitted for identification. This document is com-  
24 posed of two reports by Inspector of Police,  
25 MASSOT Martial, attached to the Federal War Crimes



1 Commission. The marked excerpts in this document  
2 are offered in evidence.

3 THE PRESIDENT: Admitted on the usual terms.

4 CLERK OF THE COURT: Prosecution document  
5 No. 277C-J-4 will receive exhibit No. 2140 for  
6 identification only, and the marked excerpts there-  
7 from, bearing the same document number, will receive  
8 exhibit No. 2140A.

9 (Whereupon, the document above referred  
10 to was marked prosecution's exhibit No. 2140  
11 for identification, and the marked excerpts  
12 therefrom were marked prosecution's exhibit No.  
13 2140A and received in evidence.)

14 THE PRESIDENT: You are about to read very  
15 lengthy excerpts. We will recess for fifteen minutes.

16 (Whereupon, at 1045 a recess was taken  
17 until 1100, after which the proceedings were  
18 resumed as follows:)

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1 MARSHAL OF THE COURT: The International  
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Major Depo.

4 MAJOR DEPO: This document comprises a record  
5 of the investigation of the execution of fifteen Chinese  
6 at Long-Thanh in October 1944, and a report on the  
7 exhumation of the bodies. With the Court's permission  
8 I will read the marked excerpts to the Court:

9 "Police Inspector Martial Massot, Attached  
10 to the Federal War Crimes Commission, to The Chief of  
11 the Federal War Crimes Commission.

12 "In reply to your verbal request today -- a  
13 request having to do with the development of the affair  
14 which took place in October 1944 and which led to the  
15 arrest and execution of fifteen Chinese subjects by the  
16 Japanese Kempei Tai from Saigon-Cholon -- I have the  
17 honor to furnish to you the information which I have  
18 been able to assemble on this subject.

19 "A radio direction finder station belonging  
20 to the Japanese Kempei Tai having detected waves sent  
21 out by a secret sending station in the vicinity of the  
22 M.I.C. factory six portable RDF sets were placed around  
23 the sector thus defined.

24 "The transmissions being very frequent, four  
25 per day and at fixed times, and the transmitter moreover



1 not having been moved the exact point of transmission  
2 was very quickly determined (see attached sketch).

3 "At this point Lieutenant SANO of the Cholon  
4 Kempei Tai was ordered by Major FUKUTOMI, Chief of the  
5 Kempei Tai, to carry out an investigation and to take  
6 measures to put a stop to this information net.

7 "Surveillances were carried out around the  
8 villa in which the transmitting station was located,  
9 and in the course of time it was established that this  
10 villa was occupied by a Chinese family and that the  
11 husband was the operator of the clandestine station.  
12 Only two Chinese came very frequently to this villa.  
13 They were 'tailed' and 'lodged'. Other surveillances  
14 were carried out on the houses of these two new persons;  
15 other 'tails' were made which led to other surveillances.

16 "After about 45 days all the members of this  
17 net were known and 'lodged'. During the course of  
18 October the arrests were made at the same moment, each  
19 house being surrounded. The Chief, being absent from  
20 his domicile, was arrested on the basis of information  
21 from one of the Chinese of the net. Thirty persons  
22 were arrested in this single sweep. After interrogation  
23 fifteen were released and fifteen sent to the Saigon  
24 Kempei Tai.

25 "By submitting /the latter/ to torture the

1 Saigon Kempei Tai obtained complete confessions from  
2 the fifteen Chinese. The transmitting station had been  
3 in direct communication with Chungking.

4 "The fifteen Chinese having been condemned  
5 to death by a tribunal of the Japanese Kempei Tai of  
6 Saigon, the execution was set for the beginning of the  
7 month of December in the vicinity of the Long-Thanh  
8 airfield.

9 "A first party of Kempei Tai men left the  
10 Kempei Tai Headquarters in advance with the mission  
11 of finding a place for the execution and of digging the  
12 trench. Then, in its turn, a second detachment com-  
13 prising also the prisoners left the Gendamerie with  
14 the airfield as its destination.

15 "There the prisoners were put down from the  
16 conveyances and their hands tied behind their backs.  
17 There were three women and twelve men. The men from  
18 the first party were waiting at the airfield in order  
19 to direct the new arrivals to a position chosen near  
20 the ditch where the prisoners were to wait their turn  
21 to be executed.

22 "Two sabres had been brought from Saigon to  
23 serve in the execution, a 'Kotetsu' and a 'Muramasa'.  
24 When all was ready the Kempei Tai began the executions.

25 "The operations occurred in the following



1 fashion: The prisoners were assembled in a place  
2 about thirty metres from the ditch from which they  
3 could see neither the ditch nor its immediate surround-  
4 ings. Each of the Kempei had a prisoner to execute.  
5 He would come and search out his victim, then when about  
6 twenty metres from the ditch, and while it was still  
7 impossible to distinguish it, he would cover his  
8 /victim's/ eyes with a bandage; then leading him to  
9 the edge of the ditch he would make his prisoner kneel  
10 and would decapitate him with one of the two sabres  
11 brought for this purpose. The head would fall into  
12 the ditch and the body would fall of itself. The sabre  
13 would be washed and a second execution would follow.  
14 These executions were concluded at about 1730, having  
15 begun at about 1600.

16 "The three women were executed first. Then  
17 it was the Chief's turn and then his comrades'. The  
18 first woman screamed and struggled and the Japanese  
19 were obliged to place her on her knees by force and to  
20 bind her legs in such a way that she would remain in  
21 this position for beheading.

22 "All /the others/, with the exception of  
23 this woman and the Chief who screamed in the same way  
24 and struggled, died courageously.

25 "The Kempei Tai adjutant, Shunzo TOMONO, was

1 on the spot and directed the executions.

2 "When all was finished the ditch was refilled  
3 and in a cynical gesture the Japanese planted a young  
4 shrub, a shrub which moreover we found when we un-  
5 covered the ditch.

6 "Executed that day were the following persons."

7 "Second Lieutenant Martial Massot, Attached  
8 to the Federal War Crimes Commission, to The Chief of  
9 the Commission.

10 "I have the honor to report to you the  
11 following events:

12 "Pursuant to the orders given me I went to  
13 Long Thanh in order to carry out there the exhumation  
14 of the bodies of the Chinese subjects beheaded with  
15 sabres by the gendarmes of the Saigon Kempe Tai during  
16 the course of the month of December 1944."

17 Page 5:

18 "And we begin the exhumation of the remains  
19 of these Chinese. The heads are not with the bodies."

20 Page 6:

21 "This afternoon of 15 August we uncovered  
22 14 skulls. On certain of these there still remained  
23 the bandage which had covered their eyes."

24 "At 1800 hours I gave the order to quit work,  
25 everyone being exhausted by the effort put forth --



1 effort which was as much moral as physical. By that  
2 time we had taken out of the pit fourteen skulls and a  
3 considerable quantity of tibias, femurs, pelvic bones,  
4 clavicles, etc."

5 "A fifteenth skull is taken from the charnel-  
6 house, This will be the last, and it brings to fifteen  
7 the number of Chinese executed and buried in this heap  
8 /charnier/."

9 Prosecution document No. 2772-K-1, report of  
10 Medical Lieutenant Cartier, about the exhumations  
11 carried out at Thakhek, is presented in evidence.

12 THE PRESIDENT: Admitted on the usual terms.

13 CLERK OF THE COURT: Prosecution's document  
14 No. 2772-K-1 will receive exhibit No. 2141.

15 (Whereupon, the document above re-  
16 ferred to was marked prosecution's exhibit  
17 No. 2141 and received in evidence.)

18 MAJOR DEPO: The seventeen bodies exhumed  
19 are those of one of the groups of French civilians  
20 and soldier executed at Thakhek in the course of a  
21 collective massacre.

22 With the Court's permission I will read  
23 Lieutenant Cartier's statement to the Court:

24 "Report of Dr. (lt.) Cartier concerning the  
25 Exhumations of Thakhek.

1            "At the request of Captain Le Sourd, Delegate  
2 of the Commissioner of War Crimes at Thakhek I was led  
3 to proceed 13, 14, 15 June 1946 to the exhumation of  
4 the bodies of French military and civilian personnel  
5 interned at the military camp of Thakhek. In the course  
6 of it, 17 bodies distributed among four pits were ex-  
7 humed in my presence and by my efforts.

8            "From these labors I have been able to make  
9 the following statements of fact from the Medico-Legal  
10 point of view.

11           "First, State of Conservation -- The soil  
12 being clayey, decomposition is not complete. The viscera  
13 and certain muscular masses (thighs, buttocks,) are  
14 not entirely destroyed, which causes the bodies to re-  
15 tain approximately their position and their original  
16 relation / to each other/. One body is in course of  
17 waxy degenerescence and the well-preserve trunk shows  
18 no wound.

19           "Second, Position -- The four pits examined  
20 were of very limited dimensions, circular and about  
21 1.50 meters in diameter by 1.75 meters in depth. The  
22 bodies were bent and curled up on each other, the limbs  
23 overlapping and intermingling; as a result of this posi-  
24 tion the disengagement of each one was very difficult.  
25 From their positions it seems to me that the bodies



1 were placed in their pits after death and before the  
2 appearance of cadaverous rigidity. Three skulls were  
3 found neatly separated from the trunk indicating a  
4 decapitation. One body remains without a head in spite  
5 of all searches. For all the other bodies the heads  
6 were found exactly in the prolongation of the cervical  
7 vertebrae. All the bodies have their arms bound behind  
8 the back by a cord tied to the waist or around the neck.  
9 They have a napkin or handkerchiefs over the eyes.

10 "Third, State of the skeleton -- All the  
11 skulls are the skeletal state. None presents a per-  
12 foration which could give rise to the conjecture of a  
13 bullet wound nor was there a trace of recent fractures  
14 or break-throughs. The numerous dentures permitted  
15 several identifications to be made. All apparently  
16 had their mouths closed, the earth found between  
17 their jaws has come from the caving in of the soil.

18 "a. Shoulder blades. All were intact.

19 "b. Bones of upper limbs. Humeri, radi,  
20 cubita, without any trace of fractures. The bones of  
21 the wrist were hard to locate.

22 "c. Vertebrae. All those found and examined  
23 were intact.

24 "e. Rib the same.

25 "f. Ilia bones of masculine sex, without

1 any trace of fracture.

2 "g. Bones of the lower limbs. Femora, tibiae,  
3 fibulae without recent fractures. All the bones of the  
4 feet enclosed in shoes were intact.

5 "Conclusion.

6 "All the bodies exhumed (17) are in a state  
7 of advanced decomposition indicating more than one year  
8 in the soil and preventing all investigation into  
9 anything other than the skeleton.

10 "The position of the bodies indicates that  
11 the burial must have been taken place immediately  
12 after death.

13 "Four bodies had been decapitated (3 skulls  
14 recovered). As for the other bodies the absolutely  
15 intact state of all the principal bones of the skeleton  
16 renders very improbable the hypothesis of an execution  
17 by fire arms.

18 "It is further to be noted that the trunk  
19 found in a state of waxy degenerescence did not present  
20 any scar of the dorsal surface (the better preserved  
21 surfact)."  
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1 Prosecution document No. 2772-J-5, which is  
2 a copy of memoranda and record of judgments, addressed  
3 to the Supreme Commander Allied Powers by the French  
4 Mission at Tokyo, is presented in evidence.

5 THE PRESIDENT: Admitted on the usual terms.

6 CLERK OF THE COURT: Prosecution's document  
7 No. 2772-J-5 will receive exhibit No. 2142.

8 (Whereupon, the document above re-  
9 ferred to was marked prosecution's exhibit  
10 No. 2142, and was received in evidence.)

11 MAJOR DEPO: Part one of this document recounts  
12 the sentencing by the Permanent Military Tribunal of  
13 Saigon of two Japanese to penal servitude for murder and  
14 imprisonment with torture committed on French civilians  
15 at Saigon and Panthiet respectively.

16 I quote the recital of the facts of the prose-  
17 cution of the first of the convicted men, Medical Cap-  
18 tain SAITO Kimyoshi, who was accused of murder:

19 "On 18 August at Temporary Camp C, rue du  
20 Docteur Angier, died Raymond Didelot, aged 50, Chief  
21 Inspector, unclassified, of the Security Police. The  
22 man answerable for this death should be Medical Captain  
23 SAITO. In spite of numerous oral remonstrances and  
24 several written reminders this strange doctor obstinately  
25 maintained that the case of Mr. Didelot, attacked by

1 sprue from 20 April 1945, was not serious and that his  
2 life was not in danger. He stubbornly refused to send  
3 him to hospital and even to cause the medicines nec-  
4 essary for his case to be sent to the sick man. The  
5 day before he died Mr. Didelot had lost 40 kilos (about  
6 88 pounds) and was already unconscious, but Doctor  
7 SAITO still stated that there was an improvement in his  
8 condition.

9 "At the time, through incapacity and through  
10 hatred of the whites, as many witnesses say, SAITO de-  
11 liberately left a prisoner, who was under his care, to  
12 die. Moreover Doctor SAITO was, in April 1945, director  
13 of a camp of civilian prisoners at Kratie.

14 "SAITO, indicted before the Permanent Military  
15 Tribunal of Saigon at the hearing of 21 October 1946.  
16 The above named was found guilty of the acts charged  
17 against him and was sentenced to the punishment of eight  
18 years penal servitude, sentence of expulsion suspended,  
19 for murder.

20 "He appealed to the Military Court of Appeal."

21 Let me now quote the recital of the facts of  
22 the prosecution of the second man convicted, KYOTA  
23 KATSUNANA, who was accused of illegal imprisonment with  
24 torture:

25 "Officer commanding Japanese Military Police



1 Detachment of Panthiet from 15 February 1945 up to the  
2 surrender. He is the chief perpetrator of serious  
3 cruelties and ill treatment of which several French  
4 residents of Panthiet, imprisoned after 9 March 1945  
5 under various pretexts, in the cages of the Japanese  
6 Military Police of this town.

7 "Among the N.C.O.'s victims was, in particular,  
8 a missionary, Reverend Father Brugidou, ill, aged 60  
9 years, on whom KYOTA vented his venom with a special  
10 ferocity. This N.C.O. was officially pointed out by  
11 his victims in the course of an identification parade  
12 which took place on 25 February 1946 at the prison of  
13 Chi Hoa.

14 "KYOTA, indicted before the Permanent Military  
15 Tribunal of Saigon at the hearing of 21 October 1946,  
16 the above-named was found guilty of the charges brought  
17 against him and was sentenced to the punishment of ten  
18 years penal servitude for illegal imprisonment with tor-  
19 ture.

20 "He did not appeal to the Military Court of  
21 Appeal."

22 The second part of the prosecution document  
23 No. 2772-J-5 gives the names of seven Japanese prisoners  
24 of war, accused of assassinations, tried and convicted  
25 by the Permanent Military Tribunal of Saigon. Two of

1    them were sentenced to penal servitude for life, the  
2    other five were condemned to death.

3           B. Prisoners of War:

4           Introductory Remarks:

5           Before placing before the Court the second part  
6    of the French Case, we recall that certain documents  
7    already presented in the past concerning the civilian  
8    population gave an account of evidence on the treatment  
9    of prisoners of war in Indo-China.

10          As a reminder I will quote them as follows:

11          Document 2772-I-1, bearing exhibit No. 2113,  
12    Affidavit of Jullien, Remy, torture of an American Air  
13    Officer at the Japanese Military Police Headquarters at  
14    Vinh (Annam).

15          Document 2772-E-3, exhibit No. 2118, Affidavit  
16    of Denise Avisse, relating to the massacre of prisoners  
17    of war intermingled in a group of some fifteen persons.

18          Document 2772-E-5, exhibit No. 2120, which  
19    recounts the torture of a French captain and the massa-  
20    cre of thirteen officers and men of the Engineers.

21          Document 2772-A-6, exhibit No. 2128, Affidavit  
22    of Cecile Cazajous, which relates the massacre of  
23    twenty-three French prisoners of war at the bridge of  
24    Yen Bien at Hagiang (Tonkin).

25          Document 2772-G-4, exhibit No. 2139, Affidavit



1 of Louis Chevin, which gives an account of the massacre  
2 of the crew of an American plane in the neighborhood of  
3 Haiphong.

4 Document 2772-K-1, exhibit No. 2141, Report on  
5 the exhumation by Medical Lieutenant Cartier, which  
6 furnishes proof of the execution of French soldiers at  
7 Takhek (Laos).

8 With the Court's permission I will now submit  
9 the other prosecution documents dealing with prisoners  
10 of war.

11 Prosecution document No. 2772-J-2, declara-  
12 tion of Artouard, Leon, Adjutant of the Gendarmerie  
13 /French/, is presented to the Court for identification.  
14 The marked excerpts are offered in evidence.

15 THE PRESIDENT: Admitted on the usual terms.

16 CLERK OF THE COURT: Prosecution's document  
17 No. 2772-J-2 will receive exhibit No. 2143 for identi-  
18 fication only; the marked excerpts therefrom, bearing  
19 the same document number, will receive exhibit No. 2143-A.

20 (Whereupon, the document above re-  
21 ferred to was marked prosecution's exhibit  
22 No. 2143, the excerpts therefrom being marked  
23 exhibit No. 2143-A, and was received in evidence.)

24 MAJOR DEPO: The witness relates the ill-  
25 treatment of which he was the victim at the time of his

1 detention with other prisoners at Mytho and at the  
2 Japanese Military Police Headquarters of Saigon (Co-  
3 chinchina).

4 With the Court's permission I will now read  
5 the marked excerpts from this document.

6 "Form Q. War Crimes. Information supplied by  
7 ex-prisoners of war. Number 1932. Name: Antouard, Leon.  
8 Rank: Warrant Officer, Detachment of Gendarmerie of  
9 Cochinchina-Cambodge. Home Address: Gendarmerie, Sai-  
10 gon. Date and Place of Capture: March 9, 1945 at 8:30  
11 p.m. at my house situated 7 Avenue of Oyries, at Mytho  
12 City.

13 "Immediately after my capture I was taken to  
14 the post of the Japanese Kempei Tai at Mytho, and imme-  
15 diately bound with ropes. Some were so tight that they  
16 made deep wounds on my wrists and forearms. I was not  
17 untied until 12 o'clock of the following day."

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1 Page 2:

2 "I was put to four other interrogations -  
3 two lasting about 1½ hours each on the afternoon of  
4 May 9, the third on the next day from 9 to 12:30  
5 o'clock; and the last on the following day from 10:30  
6 to 17:30. In the course of these last four interrogations,  
7 I was very often struck on all parts of the body with  
8 fists, feet, and sticks, and particularly on the soles  
9 of my feet. At each one of these, I was placed on  
10 my back on a bench and firmly tied down so as to  
11 undergo 'torture by water' which consisted in causing  
12 the first stages of asphyxiation by the absorption of  
13 water into the respiratory tract. Water was poured  
14 at the same time into the nose and the mouth, which is  
15 kept open with a whip or a staff slipped between the  
16 teeth, or on a rag held firmly over these two orifices.  
17 A plate carrying an electrical current was also applied  
18 to my feet, but did not work.

19 "In course of these last four interrogations,  
20 I had one rib bashed in, ten teeth completely loosened,  
21 (4 already fallen and the 6 others will follow them  
22 before long), and many contusions, of which one received  
23 at the joint of the left knee has made me suffer in  
24 particular.

25 "No information having been extracted from me,

1 I was left in my cell for 17 days more without being  
2 interrogated, and at last brought back to 'Virgil'  
3 Camp on the following May 28 in a miserable state.

4 "There were no witnesses to these interrogations.  
5 They were conducted by two non-commissioned officers  
6 of the Kempeitai, assisted by interpreters, one of  
7 whom helped them to pour water into my nose and mouth.  
8 I do not know their names, but it would be easy for  
9 me to recognize them."

10 Page 3:

11 "In the course of these 20 days, of incarceration,  
12 I was still the object of daily violences, such as  
13 kickings, beating on the head with a stick from the  
14 guards(troops attached to the Kempeitai), who savagely  
15 beat the prisoners, without reason, because such was  
16 their amusement.

17 "The food was insufficient. It consisted  
18 three times a day of a little rice ball and one-fourth  
19 of a cucumber or a radish of ordinary size. Beverage  
20 was also given in very insufficient quantity and almost  
21 always boiling. It was usually only water.

22 "No care for cleanliness was allowed. The  
23 detained were not even able to wash their hands, with  
24 which they handled their food nevertheless.

25 "They were obliged to remain sitting directly



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21 always boiling. It was usually only water.

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23 detained were not even able to wash their hands, with  
24 which they handled their food nevertheless.

25 "They were obliged to remain sitting directly



1 on the floor of their cell from the time they got up  
2 until the evening roll-call, which took place at  
3 21 o'clock. During all this time, they were not permitted  
4 to speak, to lean, to lie, nor to sleep. They were  
5 strictly watched over and all infractions were immediately  
6 punished by a sound cudgelling.

7 "The electric light was never put out, and  
8 it was not possible to protect oneself from it, for it  
9 was prohibited to sleep on one's stomach.

10 "My cell, measuring 4' x 4' was occupied by  
11 a soil-bucket and 17 prisoners, among whom there were  
12 many Annamites, common law prisoners. Most of them  
13 were itchy or covered with sores or ring worms. One  
14 of them was even suffering from acute gonorrhea.  
15 During the night, the prisoners lay down, their bodies  
16 touching one another and, because of a complete absence  
17 of ventilation, the heat became intolerable.

18 "No care was given to the prisoners who were  
19 ill, even in very serious cases; thus Mr. Nico-Can,  
20 Chief Engineer of Public Works of Cochinchina, died  
21 one hour after having been taken out of my cell where  
22 he had remained dying and without any care for 5  
23 or 6 days. As for me, I had not gone to the stool  
24 for 19 days when I was brought to 'Virgil' Camp, where  
25 they took care of me at once. A first assistant surgeon



1 (medical lieutenant) though having been informed of  
2 my state on about the 10th day did not have any medicine  
3 given to me."

4 Prosecution document No. 2772-J-3, report of  
5 Captain Beauvallet is presented to the Court for  
6 identification. The marked excerpts are offered in evidence.

7 THE PRESIDENT: Admitted on the usual terms.

8 CLERK OF THE COURT: Prosecution document No.  
9 2772-J-3 will receive exhibit No. 2144 for identification  
10 only. The marked excerpts therefrom, bearing the same  
11 document number, will receive exhibit No. 2144-A.

12 (Whereupon, the document above  
13 referred to was marked prosecution's ex-  
14 hibit No. 2144 for identification; the  
15 excerpts therefrom being marked prosecution's  
16 exhibit No. 2144-A and received in evidence.)

17 MAJOR DEPO: In his report, Captain Beauvallet,  
18 describes the ill treatment and the tortures which he  
19 had to undergo at the Japanese Military Police Headquarters  
20 at Saigon and the life of the detainees; he mentions  
21 the death of 6 people, civilians and prisoners of war,  
22 who were victims of the /ill/ treatment inflicted and  
23 of the lack of care.

24 With the Court's permission I will now read  
25 the marked excerpts:



1 "Report of Captain Beauvallet, bearing on  
2 his imprisonment at Japanese Kempei Tai Headquarters  
3 between March and August 1945. Saigon."

4 Page 2:

5 "III. Life at the Japanese Kempei Tai  
6 Headquarters.

7 "I make a digression here in order to describe  
8 what was the routine imposed on European detainees by  
9 the Japanese Kempei Tai. The Japanese Kempei Tai had  
10 set up, in a building adjoining the Chamber of Commerce  
11 (situated on the left, as one enters by the main gate),  
12 six cells. For this purpose they had made use of six  
13 magazines and had closed their inner openings  
14 with grills made of wooden bars. These grills gave  
15 a veritable cage-like aspect to the cells. They  
16 allowed the guards to watch the detainees all the time.  
17 The entrance was a little door less than 1 metre in  
18 height fastened with a padlock. The cells were about  
19 4 metres by 5, with plank floors and permanently lit  
20 by a central lamp.

21 "A wooden bucket with a cover was put at the  
22 disposal of the imprisoned for their needs. It was  
23 emptied daily by a detainee accompanied by a sentry.  
24 Some straw mats, about one between two were distributed  
25 among the prisoners. In the evening bedding was given



1 out on an average of one piece for three persons. "

2 Page 3:

3 "Of the six detainees who to my knowledge  
4 died at Kempeitai Headquarters or shortly after  
5 their release therefrom (Mr. Fournier, Mr. Nicolau,  
6 Mr. Chabert, Major Langellier Bellevue, Mr. Finot,  
7 and Mr. Bertrand) the majority died both from the  
8 bad treatment undergone and from a lack of care."

9 \* \* \*

10 "Certain of the N.C.O. guard-house commanders,  
11 or soldiers of the guard, gave evidence under various  
12 circumstances of great brutality. They inflicted on  
13 the detainees whom they accused, sometimes wrongfully,  
14 of having spoken or of having misbehaved, painful  
15 punishments; blows with a stick, often very violent,  
16 whipping with a leather belt, standing up with arms  
17 in the air or extended for several hours."

18 Page 7:

19 "As I refused to speak I was subjected to  
20 a seance of tortures which was particularly painful.  
21 Bound to a bench with an extremely tight rope which  
22 cut into flesh, I was subjected for about an hour and  
23 a half simultaneously to double torture:

24 "-On the one hand, bludgeoning of the soles  
25 of the feet by the adjutant provided with a hard-wood

1 club and by another Kempei provided with a rattan cane.

2 "On the other, water asphyxiation.

3 "Besides this, another Kempei gave me a few  
4 body burns with cigarette ashes.

5 "I shall dwell somewhat on the first two  
6 tortures, for I carried away the impression that they  
7 were applied with particular cruelty. As for the  
8 bludgeoning of the feet, I find it hard to say how  
9 many blows I received, perhaps 200, perhaps a few less.  
10 From time to time some blows were applied to the tibias  
11 and the ropes which bound my ankle bones, driving them  
12 into the flesh and producing wounds which lasted a  
13 long time(along with those of the tibias). Several  
14 cudgel blows were also laid on my toes, and the nail  
15 of the right big toe in particular was torn out.

16 "As a result of this treatment my feet  
17 swelled considerably. For several days it was impossible  
18 for me to stand on my feet. To get up I had to have  
19 the help of two cell-mates and for the questionings  
20 the Japanese Kempei carried me on their backs. At  
21 the present moment, more than four months after this  
22 series of tortures, my right foot remains deformed.

23 "As for the water axphyxiation, it was  
24 inflicted on me under particularly painful conditions.  
25 A Kempei pressed against my belly to fill out my chest.



1 A gag had been put on my nose and mouth forcing me to  
2 inhale to get a little air. The interrogator poured  
3 on my gag the water from a kettle which he had refilled  
4 as soon as empty. It was impossible for me under these  
5 circumstances to avoid swallowing water and losing  
6 my breath fairly rapidly. The one pouring would stop  
7 then to begin again as soon as I had succeeded in  
8 catching a bit of air. This struggle for an hour and  
9 a half against asphyxiation exhausted me completely.

10 "At the end of an hour and a half the adjutant-  
11 interrogator, wishing no doubt to vary the pleasures,  
12 placed the bench vertically in such a way that I was  
13 hanging head down held by the ropes around my ankles  
14 which went deeper and deeper into the wounds which  
15 had been made in me. I remained about a half hour  
16 under these conditions, the interrogator continuing  
17 to apply the cudgel blows to my feet and pouring water  
18 from time to time down my nostrils.

19 "I was then unbound, placed on a bench in  
20 front of a table and Adjutant SUMIMOTO, entering the  
21 room, resumed the interrogation punctuated by numerous  
22 cudgel blows on my head, arms, and shoulders."

23 Page 11:

24 "My denials only served to bring about a new  
25 series of brutalities. On the 22nd I received violent

1 head blows with a stick. On the 23rd Adjutant SUMIMOTO  
2 himself hammered my face with extremely violent blows  
3 of his fist, further forcing me to remain kneeling  
4 during the interrogation. Finally, on the 24th, a  
5 new series of tortures was inflicted, comprising:

6           "-The tearing out of tufts of hair from my  
7 head and beard.

8           "-The twisting of my wrists and arms.

9           "-Asphyxiation by strangulation.

10           "-A wound on my foot caused by a see-saw  
11 movement pressed on a cord just at the point of a wound  
12 made in April. (This unattended wound got infected  
13 and was at the bottom of a fit of boils which has  
14 continued up to the present time.

15           "-Finally, asphyxiation by water."

16           The affidavit of Rouan Georges, Medical  
17 Captain of Colonial Troops, prosecution document No.  
18 2772 D-1, is now offered to the Court for identification  
19 and the marked excerpts are offered in evidence.

20           THE PRESIDENT: Admitted on the usual terms.

21           CLERK OF THE COURT: Prosecution document  
22 No. 2772 D-1 will receive exhibit No. 2145 for  
23 identification only. The excerpts therefrom will  
24 receive exhibit No. 2145-A.

25           (Whereupon, the document above



1 referred to was marked prosecution's ex-  
2 hibit No. 2145 for identification; the  
3 excerpts therefrom being marked prosecu-  
4 tion's exhibit No. 2145-A and received  
5 in evidence.)

6 MAJOR DEPO: In this document, Doctor  
7 Rouan, relates the death of Medical Commandant Coste,  
8 killed in his own office by blows with a sword, in  
9 spite of the insignia of the International Red Cross  
10 which he was wearing on his fatigue blouse.

11 With the Court's permission I will read the  
12 marked excerpts:

13 "Affidavit of Rouan, Georges Germain,  
14 Medical Captain of Colonial Troops, Born at la Fleche  
15 (Sarthe), 21 November 1908, son of Arnand Rouan and  
16 Marie Pelissou, Residence, Hotel Splendid, Hanoi

17 "At Hanoi

18 "In the afternoon of 12th March, I found the  
19 corpse of Doctor Commandant Coste in his office, at  
20 the hospital of the First Torkinese Sharpshooters  
21 Regiment/R.T.T./. His head lay toward the door and  
22 the feet toward the office desk, the lower part of the  
23 body was stripped completely naked, the face was composed,  
24 the corpse was still wearing a white shirt bearing the  
25 insignia of the Red Cross. The office was in disorder,

1 there was blood everywhere and chiefly a big pool on  
2 a level with the head of the corpse."

3 \* \* \*

4 "According to the reports of eye witnesses,  
5 at the moment of the fifth Japanese drive on the night  
6 of March 9/10, Commandant Coste presented himself in  
7 full light before the Japanese dressed in his shirt  
8 bearing the red cross. He was shoved toward the interior  
9 of his office, then killed.

10 "The Indo-Chinese male nurse on duty who  
11 was with him was killed by a sabre blow which almost  
12 decapitated him; his body was on the veranda joining  
13 the office."  
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1 Prosecution document No. 2772 D-2, affidavit  
2 of Quenardel Andre, M.D., is offered to the Court for  
3 identification and the marked extracts are offered in  
4 evidence.

5 THE PRESIDENT: Admitted on the usual terms.

6 CLERK OF THE COURT: Prosecution's document  
7 No. 2772 D-2 will receive exhibit No. 2146 for iden-  
8 tification only; the excerpts will receive exhibit  
9 No. 2146-A.

10 (Whereupon, the document referred  
11 to was marked prosecution's exhibit No. 2146  
12 for identification only, the excerpts there-  
13 from being marked prosecution's exhibit No.  
14 2146-A and received in evidence.)

15 MAJOR DEPO: In his affidavit, Doctor  
16 Quenardel relates, in particular, the treatment  
17 meted out to wounded prisoners of war in violation  
18 of the Geneva Convention and also the execution of  
19 prisoners of war at Hanoi. I quote:

20 "One of the most painful spectacles, during  
21 the period which followed the fight of 10 March, was  
22 to see the forlorn condition in which the wounded  
23 soldiers of the French Army were left by the Japanese.

24 "In one of the barracks -- that of the 1st  
25 R.T.T., the Senior Medical Officer, Medical Major COSTE

1 had met with massacre at the hands of the Japanese.  
2 All the wounded were abandoned and it was not until  
3 some time during the third day that we were able  
4 to go to their aid. We retain, in particular, the  
5 memory of an Irregular, seriously wounded in the  
6 thigh, in the middle of a courtyard, who had to lie  
7 there unable to move for three nights and three days  
8 on end, bathed in his blood and dying of thirst  
9 without receiving the least assistance from numerous  
10 Japanese passing close beside him. These Japanese  
11 over and above, formally forbade the French wounded  
12 to leave the places where they had been gathered  
13 together.

14 "II. Death Punishment on P.O.W.

15 "(1) I was ordered by the Japanese on 10  
16 March towards 1700 hours, to go to the Citadel to  
17 collect dead and wounded. It was not until towards  
18 2200 hours that the small Japanese posts allowed us  
19 after plenty of threats to enter this Citadel to  
20 carry out our task.

21 "We were not a little surprised to come  
22 across, among the dead--I will state only the cases  
23 of which I was an eyewitness--Battalion Commander  
24 Esquer witnessed several other cases--a sub-lieutenant  
25 and two adjutants with their hands tied behind their



1 backs and showing a bullet wound at the height of  
2 the heart. Without any doubt at all this was a case  
3 of execution of prisoners and of officers for choice.  
4 It is impossible for us to clarify the reason for  
5 such executions, the bodies of those executed being  
6 very frequently mingled with other corpses."

7 Prosecution document No. 2772 C-1, the  
8 affidavit of the Indo-Chinese Sergeant Le-Dinh-Bao,  
9 is submitted in evidence.

10 THE PRESIDENT: Admitted on the usual terms.

11 CLERK OF THE COURT: Prosecution's document  
12 No. 2772 C-1 will receive exhibit No. 2147.

13 (Whereupon, the document above  
14 referred to was marked prosecution's exhibit  
15 No. 2772 C-1 and received in evidence.)

16 MAJOR DEPO: The witness, in his affidavit,  
17 relates the massacre of French officers and NCOs of  
18 the garrison at Vatchay (Tonkin).

19 With the Court's permission I will now read  
20 this document.

21 "Affidavit, Le Dink Bao, ex-sergeant of  
22 Mobile Detachment of the Aviation General Secretary  
23 of the Administration Committee of Vatchay, residence  
24 at Vatchay (Tonking), born 23 December 1916 at Sadeo  
25 (Cochin-China) son of Le-Dinh-Phu and of Mai-Thi-Tram.

1           "Deposition in the form of an Account: At  
2 Vatchay, September 17, 1946.

3           "'On the 13 of March 1945 the mobile detach-  
4 ment to which I belonged was in a position situated  
5 near the village of Tien Yen (Hai Ninh Province,  
6 Tonkin). It was commanded by Captain Estienne. It  
7 was composed of eight French soldiers and about forty  
8 Indo-Chinese soldiers. At about 7:30 it was attacked  
9 by a strong party of Japanese. After a half-hour  
10 fight the Japanese made an assault in the course of  
11 which all of the French soldiers were taken prisoner.

12           "'Prevented from fleeing by the wounds which  
13 I had received, I remained in their midst. About a  
14 half hour after having been captured, Captain Estienne  
15 and Adjutant-Chiefs Lavoiance and Butland were decap-  
16 itated by blows with a saber. Next came the turn of  
17 Adjutant-Chiefs Poli and Ruffini and Adjutants Garnier,  
18 Carissan, and Pahun, who were massacred by blows with  
19 a bayonet.

20           "'In order to facilitate the penetration of  
21 the bayonets into the bodies of the victims, the  
22 Japanese had opened their clothing to bare a part of  
23 their chests.'"

24           Prosecution document No. 2772 B-1, affidavit  
25 of Porte Laurent, Medical Officer of Colonial Troops,



1 is now offered in evidence.

2 THE PRESIDENT: Admitted on the usual terms.

3 CLERK OF THE COURT: Prosecution's document  
4 No. 2772 B-1 will receive exhibit No. 2148.

5 (Whereupon, the document above  
6 referred to was marked prosecution's exhibit  
7 No. 2148 and received in evidence.)

8 MAJOR DEPO: It reveals the treatment of  
9 prisoners of war interned in the camps of Hoa-Binh.

10 With the Court's permission I will now read  
11 this document: "AFFIDAVIT

12 "Porte, Laurent, Medical Officer Colonial  
13 Troops. Son of Porte, Louis and Lion, Emilie. Born  
14 6 September 1913 at Toulon (Var). Living at Saigon,  
15 14 Rue d'Arclause.

16 "Duration of work and effective strength.

17 "30 June, 1500 men left

18 "11 June, 300 men left

19 "1 Aug. 1275 men left

20 "TOTAL: 3075 men

21 "The return was staggered from 22 to 27  
22 August. The PWs were distributed in various camps,  
23 from Kilometer 40 up to beyond Hoa-Binh. We shall  
24 call the camps by the names of the medical officers  
25 who were in charge.

1           "Accommodation. In most of the camps the  
2 Japanese had made no preparation to receive the PWs,  
3 who remained exposed to the inclement weather during  
4 the days necessary to construct a roof of latanias.

5           "In Dr. Porte's camp they forbade the con-  
6 struction of floorboards, thus obliging the prisoners  
7 to sleep in water every time it rained.

8           "In one of Dr. Mathurin's dependent camps  
9 they had some floorboards constructed, but put  
10 prisoners above and below. Most of the prisoners  
11 did not have mosquito nets; many were without cover.

12           "Diet. Rice, of quality varying widely over  
13 the days and the camps. Annamite aqueous vegetables  
14 (water bindweeds, lotus leaves, pumpkin): 100 to 150  
15 gr.; 5 to 10 gr. of starches (Potatoes, sweet potatoes,  
16 and taros. 10 gr. of salt.

17           "During the whole month of July no fat, meat,  
18 fish, eggs, nor sugar. Tiny quantities of the latter  
19 were allotted from time to time in the month of August.

20           "Minimum ration, say: 1,180 calories

21           "Maximum ration, say: 2,020 calories

22           "The sick only got half-rations.

23             
24           "In several camps, in particular Dr. Porte's,  
25 the Japanese arranged that the prisoners should touch  
less than one liter of tea a day. They were thus forced



1 to drink the dirty water of the rice-paddies. The  
2 cases of dysentery were very numerous.

3 "Work: It consisted of:

4 "Embankments for the construction of mountain  
5 roads and trails.

6 "Placing of wooden bridges.

7 "Boring of numerous tunnels in the mountains.

8 "Timbering of these tunnels.

9 "Transport of blocks and planks necessary  
10 for this work on the backs of men driven by blows  
11 from cudgels.

12 "The work was stopped 16 August.

13 "Evacuations and Medicines. Formal refusal  
14 of medical evacuations on and from July 10th, and of  
15 all medicines up to August 15th.

16 "Death-rate:

17 "Died on the spot: 62 (Sixty-two)

18 "Died on return to the fortress: 36 (Thirty-six)

19 "TOTAL: 98 dead. (List discontinued from 12  
20 September: percentage 3.3%).

21 "Note: This percentage gives no account of  
22 the actual facts since the detachment that left on  
23 August, generally speaking, did not undergo sufferings  
24 protracted enough to produce death. The percentage  
25 under 1,800, that is, 5.6% is far nearer the truth.

1                   "Disease-rate:

2                   "490 seriously-ill patients sent to hospitals  
3 at Lanessan Hospital and at the Fortress Infirmary.

4                   "About 300 patients in the camp not sent to  
5 hospital owing to lack of space in the medical units.

6                   "Total - 790 patients, that is, a percentage  
7 of 26%.

8                   "Marsh fever, dysentery, beriberi, edema,  
9 and so forth were predominant in the death and disease  
10 rate.

11                   "Atrocities and Ill-Treatment:

12                   "In Dr. Flottes's camp, a man was beheaded  
13 (of the special account tendered by this doctor).

14                   "In a camp under the control of Dr. Mathurin,  
15 the dysentery cases were shut up in a cage, excrement  
16 and all. A little water and rice was handed in to  
17 them through a hole in the partition.

18                   "All in all, there were not many atrocities  
19 in the strict sense of the word, but (a good deal) of  
20 systematic ill-treatment with the definite intention  
21 of inducing death.

22                   "Excessive amount of work at all times, even  
23 at night.

24                   "A diet both inadequate and completely un-  
25 balanced, owing to the almost total lack of albuminoids



1 and fats.

2 "Systematic sending out of the sick to work,  
3 with blows from sticks. In my camp a soldier called  
4 MATSUMOTO, the Annamite interpreter, was especially  
5 energetic at this business.

6 "Beatings upon the slightest pretext.

7 "Refusal of medicines and medical evacuations.

8 "The intentions of the Japanese officers were  
9 revealed by the words of the captain who commanded my  
10 camp. In the course of an interview in which I was  
11 begging, as usual, for an improvement, he replied:  
12 'You are prisoners, you have no right to complain.  
13 You're welcome to kill yourselves if you are not satis-  
14 fied. If I feel I want to, I shall stop the food  
15 supply for a day, for several days. As for the sick,  
16 those already dead and those yet to die, they don't  
17 matter a damn.'

18 "The lists of the dead and the sick tell  
19 their own tale. They allow one to glimpse the treat-  
20 ments that would have ensued if the work had lasted  
21 just one month longer."

22 THE PRESIDENT: We will adjourn now until  
23 half-past one.

24 (Whereupon, at 1200, a recess was  
25 taken.)

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## 1 AFTERNOON SESSION

2  
3 The Tribunal met, pursuant to recess, at  
4 1330.

5 MARSHAL OF THE COURT: The International  
6 Military Tribunal for the Far East is now resumed.

7 THE PRESIDENT: Major Depo.

8 MAJOR DEPO: The affidavit of Laurent  
9 Henri, prosecution document No. 2772-B-2, is pre-  
10 sented to the Court for identification, and the  
11 marked excerpts are offered in evidence.

12 THE PRESIDENT: Admitted on the usual terms.

13 CLERK OF THE COURT: Prosecution document  
14 No. 2772-B-2 will receive exhibit No. 2149 for identi-  
15 fication only, and the marked excerpt therefrom,  
16 bearing the same document number, will receive exhibit  
17 No. 2149A.

18 (Whereupon, the document above re-  
19 ferred to was marked prosecution's exhibit  
20 No. 2149 for identification, and the marked  
21 excerpt therefrom was marked prosecution's  
22 exhibit No. 2149A and received in evidence.)

23 MAJOR DEPO: This document, dealing with  
24 the treatment of prisoners of war in the Camps of  
25 Hoa-Binh, supplements the affidavit of Doctor Porte --



1 prosecution document No. 2772-B-1, already intro-  
2 duced in evidence and bearing exhibit No. 2148.

3 I quote:

4 "Sent on August 1st to Hoa Binh --  
5 Reprisals Camp of 45 Kilometer Camp -- I was a  
6 witness to the following facts:

7 "Every morning, before leaving for work,  
8 sick persons -- especially those ill with malaria  
9 and dysentery -- would be mustered out before the  
10 thatches where they slept. At this time, a  
11 Japanese noncommissioned officer, group leader,  
12 would strike the men several times with a club  
13 until they fell to the earth half-conscious; then  
14 he would make them get up and beat them again until  
15 they were carried away absolutely limp. It is  
16 to be remembered that these sick men were deprived  
17 of food, one meal out of every two, because they  
18 did not take part in work."

19 Prosecution document No. 2772-A-1, the  
20 deposition of Adjutant-Chief Suryau, is offered to  
21 the Court in evidence.

22 THE PRESIDENT: Admitted on the usual terms.

23 CLERK OF THE COURT: Prosecution document  
24 No. 2772-A-1 will receive exhibit No. 2150.

25 (Whereupon, the document above



1 referred to was marked prosecution's  
2 exhibit No. 2150 and received in evidence.)

3 MAJOR DEPO: This deposition recounts the  
4 massacre of prisoners of war at Hagiang.

5 With the Court's permission I will now  
6 read this document:

7 "Deposition of the Chief Adjutant Suryau.

8 "Subject: Massacres at Hagiang.

9 "After the surrender of the barracks of  
10 the Legion, which had become untenable, the French  
11 were taken into the courtyard in three groups:

12 "The first group in front of the entrance  
13 door was composed of Captains Bertard and Jeanee-  
14 nelle, Dr. Courbiere taken as a hostage, Adjutant  
15 Jost, Sgt. Leverrier, two sailors and myself.

16 "The second group, at a short distance  
17 from the first, was composed of several NCOs and  
18 their men.

19 "The third group, near the canteen, was  
20 composed of NCOs of the Legion, a sailor and some  
21 Colonials.

22 "An officer or NCO of the Police Force  
23 asked Lt. MORIOKA, who was there dressed as a  
24 civilian, what he should do with the prisoners;  
25 he replied by making a sign of sweeping them away.



1 The Japanese soldiers then fell upon the prisoners of  
2 the second group, threw them to the ground and  
3 slaughtered them with bayonet thrusts; at the same  
4 time the prisoners of the third group were killed  
5 with revolver shots by three Annamites, whose names  
6 I do not know but whom I would easily recognize.  
7 Lt. MORIOKA then took a sword from the hands of a  
8 Japanese NCO and began to strike Capt. Bertard. A  
9 first thrust struck him in the back, a second thrust  
10 removed his right cheek and ear. The Captain then  
11 said: 'But what have I done to you?' and he was  
12 then finished off by a pistol shot right in the heart.

13 "The other members of the first group were  
14 simply beaten. My forehead was hammered with bullet  
15 points /of a clip/. This massacre cost the lives of  
16 44 men.

17 "The survivors were taken to the residence  
18 to obtain the surrender of Commander Moullet. Six  
19 or seven Japanese officers were behind us with re-  
20 volvers and threatened to kill us.

21 "After the surrender of the Commander we  
22 were taken to prison. Later, when I asked for news  
23 of Sgt. Bitkus and of the group of Legionnaires sent  
24 to the residence at aperitif time, the Japanese told  
25 me that they had been killed in combat, but some

1 civilian prisoners told us that they had been shot  
2 behind the church."

3 Prosecution document No. 2772-A-2, the  
4 deposition of Hospital Adjutant-Chief Potin, is  
5 submitted to the Court in evidence.

6 THE PRESIDENT: Admitted on the usual  
7 terms.

8 CLERK OF THE COURT: Prosecution document  
9 No. 2772-A-2 will receive exhibit No. 2151.

10 (Whereupon, the document above re-  
11 ferred to was marked prosecution's exhibit  
12 No. 2151 and received in evidence.)

13 MAJOR DEPO: This documents mentions the  
14 massacre of a group of about 20 prisoners of war, who  
15 were executed on the bank of the river of Hagiang.

16 It also recounts the assassination of a  
17 soldier of the Foreign Legion.

18 With the Court's permission I will now read  
19 this document:

20 "Evidence of Chief Adjutant, male nurse  
21 Potin on the subject of assassinations at Hagiang.

22 "After having been taken prisoner I saw  
23 about twenty bodies on the bank of the river but I  
24 did not see their execution.

25 "On the 12th March, about 11 o'clock, some



1 Annamite nurses told me that Legionaire Helenol  
2 was hidden in the rocks behind the infirmary; I sent  
3 to tell him to try and join us by taking advantage  
4 of the night but this was not possible as we were  
5 taken to the civilian hospital. I learned later  
6 that Helenol was taken prisoner and shot, as well  
7 as Mechart, who had escaped from the massacres by  
8 the river.

9 "On the 15th March, I learned from the  
10 civilian prisoners that Legionaire Ivanof, who was  
11 hidden in a little pagoda behind the residence, had  
12 been taken by the Japanese. Shortly after, from  
13 the window of my room at the military hospital, I  
14 saw Ivanof arrive with two Japanese sentinels,  
15 they stopped just in front of my window and Lt.  
16 MURASAKI arrived, had Ivanof bound, ordered him  
17 to sit down on the ground and called a female  
18 Annamite interpreter named MISOKA. MURASAKI began  
19 by throwing stones right in the face of the prisoner,  
20 then made him get up and conducted him to the bank  
21 of the river, below the bridge; a Japanese sergeant  
22 took off Ivanof's jacket and pulled his shirt up  
23 over his face, then MURASAKI had a rifle with a  
24 bayonet brought to him and killed Ivanof with a  
25 bayonet thrust in the chest."

1 Prosecution document N. 2772-A-3,  
2 affidavit of the Battalion Commander Moullet Albert,  
3 has already been introduced in evidence and bears  
4 exhibit No. 2124.

5 It deals with the massacres of prisoners  
6 of war of Hagiang and gives a schedule of these. It  
7 also gives an account of the rape and assassination  
8 of two French women.

9 THE PRESIDENT: We are being handed  
10 document No. 2772-A-7. You are not tendering that  
11 yet?

12 Read those excerpts from exhibit No. 2124.

13 MAJOR DEPO (Reading):  
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1 "AFFIDAVIT: Moullet Albert Louis, Chief of  
2 Battalion OC of the Colonial Infantry, Ex-Commander  
3 of the IIIrd Territory and of the military Sub-division  
4 of Hagiang. Born the 15th August 1908 at Marseilles.  
5 Son of Moullet Albert and of Blanc Jeanne. Domicile  
6 at Hanoi, 29 Bd Dong-Khanh and in France, 23 Rue de  
7 la Republique at Cuers - Var.

8 "The French Garrison of Hagiang (150 Europeans,  
9 500 Indo-Chinese) were attacked by surprise by a  
10 Japanese Bn. under Commander SAWANO (900 men) the  
11 9th March 1945 towards 1910 hours.

12 "Treacherously surprised whilst in the drawing  
13 room of the Residence, a group of French officers  
14 fell into the hands of the Japanese right at the  
15 start of the attack.

16 "Having succeeded in getting to the upper floor  
17 of the Residence with Lieutenant Kereneur, I resisted  
18 until the next day the material and moral pressure of  
19 the Japanese who having captured my wife and my  
20 daughter of five months, threatened throughout the  
21 night to massacre them if I did not give myself up.

22 "Deprived of some of their officers, the de-  
23 fense elements of the French Garrison surrendered  
24 one by one.

25 "The exterior defenses of the Fortress, the

1 barracks of the Indo-Chinese Guard, the 'Bonnet  
2 Phrygien', the Coast 350, fell into the hands of the  
3 Japanese before 23 hours.

4 "The Fortress surrendered the 10th March towards  
5 7 o'clock.

6 "The barracks of the Legion towards 8 o'clock.  
7 The Japanese thereupon massacred almost the whole  
8 number of the Legion's defenders, that is to say,  
9 45 men. (In the afternoon of the 10th they massacred  
10 23 men who had given themselves up in the morning  
11 and 11 men who had given themselves up about noon.

12 "Other assassinations were spread out between  
13 the 10th and 20th to a total of 88 victims.)

14 "They pushed those of the Legion who survived  
15 towards the residence and threatened to shoot them in  
16 order to obtain my surrender. They added my wife to  
17 the group of survivors and my daughter and my parents-  
18 in-law.

19 "All resistance having ceased, and there being  
20 no hope of salvation I gave myself up with Lieutenant  
21 Kereneur; our ammunition gave out about 9 o'clock.

22 "On the 12th March in the afternoon, the Com-  
23 mander SAWANO forced Captain Vaillant and Sub-Lieut.  
24 Hascott to accompany the Japanese Detachment charged  
25



1 with taking the Posts on the right bank of the River  
2 Claire, as their hostages for parleys.

3 "At the last moment Commander SAWANO designated  
4 me to replace Captain Vaillant.

5 "He came in person to tell me before the depar-  
6 ture, that my family and the French prisoners of Hagiang  
7 would be executed if I escaped.

8 "The Post of Loatchay, already evacuated, was  
9 occupied without combat, the 23th March.

10 "The position of Hoang Su Phi, also evacuated,  
11 was occupied without combat, partly on the evening  
12 of the 14th March and partly on the morning of the  
13 15th.

14 "The Japanese Detachment which Sub-Lieutenant  
15 Hascott and I had been obliged to follow was joined  
16 at Hoang Su Phi on the morning of the 15th March by  
17 another Japanese Detachment which had come from  
18 Hagiang by Bac Quang. In conformity with the Jap-  
19 anese rule, this Detachment had as their hostage  
20 for the French parleys, the Sub-Lieutenant Boulle.

21 "The 15th March during the morning whilst the  
22 Japanese were installing themselves at Hoang Su Phi,  
23 Hascott, Boulle and myself were placed in the court  
24 yard of Yamen /administration office/ du Tri Chau  
25 /Province Chief/ of Hoang Su Phi.

1        "We had hardly reached this court yard when we  
2        saw Lieutenant FURUKAWA, Chief of the two Japanese  
3        detachments, climb alone to the floor of the building  
4        where there was a spare room and shut himself in  
5        there.

6        "A little girl whom one of us knew but whose  
7        French appearance left us in no doubt, came down  
8        shortly afterwards, sobbing.

9        "When she was in a fit state to reply to my  
10       questions, I learnt that she was Mademoiselle Theluyer,  
11       who had come to Hanoi to spend a few days with her  
12       sister, Madame Dumoulin, wife of an N.C.O. of the  
13       Garrison of Bac Quant, that she had been taken by  
14       surprise by the events of the 9th March at Bac Quang  
15       and that, with her sister, she had followed the  
16       French troops of Bac Quang in their retreat to Hoang  
17       Su Phi the 11 and 12th March.

18       "While Mademoiselle Theluyer was speaking to us,  
19       Lieutenant SURUKAWA, came downstairs with a valise in  
20       each hand.

21       "He brutally separated the little girl from us.

22       "A quarter of an hour later we saw Madame  
23       Dumoulin, whom we already knew, appear in tears under  
24       the veranda of the upper floor.

25       "After a long and painful discussion, I obtained



1 permission from FURUKAWA, for her to come down and  
2 join us.

3 "She then told us that Captain Marie, Commander  
4 of the Company of Bac Quang had taken upon himself  
5 to conduct them to the Chinese frontier, she and her  
6 sister, when he evacuated Bac Quang and moved towards  
7 Hoang Su Phi.

8 "At Hoang Su Phi Captain Thirion, Commander of  
9 the Unit at Hoang Su Phi and older than Marie, took  
10 over Command of the outfit.

11 "Having decided to fight in the region of Xin  
12 Man and to pass into China if the outcome of the fight  
13 was unfavorable to him he decided that he could not  
14 impose the fatigue and privations of a campaigner's  
15 life on two young women of whom one was pregnant by  
16 two months, and thought that if they stayed at Tonkin  
17 they would sooner or later rejoin their father and  
18 mother at Hanoi.

19 "He, therefore, confided the two young women to  
20 Tri Chau at Hoang Su Phi.

21 "They stayed there until the arrival of the  
22 Japanese at the Trichau, in the room which we had  
23 just seen Lieutenant FURUKAWA enter and leave.

24 "This officer had told them revolver in hand to  
25 undress; as they refused, he had undressed them

1 himself, by brute force.

2 "The younger, aged 14 years, but who looked only  
3 13, and still a virgin, being no doubt not to his  
4 taste, I told to dress again and go downstairs.

5 "Remaining a line with Madam Dumoulin, aged 19  
6 years, he beat her and then violated her. He then  
7 opened his two suitcases, spread their contents out  
8 in the room, took the money of the unfortunate woman,  
9 some hundreds of piastres - the clothes and the linen  
10 which suited him and took his loot downstairs in the  
11 suitcases without paying any more attention to the  
12 unfortunate woman.

13 "On the evening of 15th Madam Dumoulin shared  
14 the same room with us, the room where she had been raped.

15 "We had a good deal of trouble to prevent the  
16 Japanese N.C.O's and men from taking them away to  
17 their room for a purpose easy to guess.

18 "We had to range ourselves, the three of us,  
19 Hascoet, Bouille and myself, at the foot of their bed  
20 and hold all night long, an endless conversation with  
21 the excited NIPS in order to keep them within bounds  
22 without actually jostling them.

23 "On the morning of the 16th the Japanese moved  
24 on Xin Men taking the 3 French officers with them and  
25 leaving at Hoang Su Phi a small guard with the two



1 French women.

2 "On the evening of 17th we came back to Hoang Su  
3 Phi. The two women had been left without food or  
4 water but had not been molested. Their anguish be-  
5 gan again during the night 17/18 during which we again  
6 performed the impossible in order to ward off from  
7 them the outrages of the Japanese party.

8 "On the morning of the 18th they were separated  
9 from us and transferred to the Military Post where  
10 two beds set up in the middle of the room of the  
11 Japanese soldiers were assigned to them.

12 "In this room in which slept about fifty men they  
13 suffered a hideous martyrdom.

14 "Closely watched, prevented from leaving the  
15 room, they were completely at the disposal of the 50  
16 brutal Nipponese.

17 "Day and night they had to submit, the one be-  
18 side the other and before all the occupants, to the  
19 whim of each soldier.

20 "This indescribable treatment was the work of  
21 Lieutenant FURUKAWA.

22 "When this officer announced to us that we,  
23 Bouille, Ascoet and I were going to be sent back to  
24 Hagiang, I asked him twice to allow the young women  
25 to come with us, adding that they could not remain

1 alone at Hoang Su Phi and that there were other women  
2 prisoners at Hagiang.

3 "I overthrew one by one the objections which  
4 FURUKAWA raised.

5 "There are no horses for them.

6 "Tri Chau is able to provide them.

7 "He has no more.

8 "They will go on foot.

9 "Madame Dumoulin is pregnant, she cannot make  
10 long marches.

11 "She came on foot from Bacquang. In two days she  
12 will be able to get back to Bacquang from where it  
13 will be easy to transport her to Hagiang in a truck.

14 "It was no good.

15 "I then asked the Japanese Medical Lieutenant INOWE  
16 to intervene. He did so, with no more success.

17 "FURUKAWA declared that he would send them back  
18 later when he had horses.

19 "When we got back to Hagiang I intimated their  
20 presence at Hoang Su Phi to Commandant (Major)  
21 SAWANO and asked him on several occasions to let them  
22 come to Hagiang. No result.

23 "Battalion Commander CAPPONI, captured at COC PAI  
24 on 27 March 1945 and first of all imprisoned at Xin  
25 Man was transferred at the beginning of April to



1 Hagiang via Hoang Su Phi.

2 "Having arrived at Hoang Su Phi on 6 April, he  
3 verified with his own eyes the miserable fate of  
4 these two young women and had a short conversation  
5 with Madame Dumoulin.

6 "He heard from her own lips and reported it to  
7 me that not content with violating them to their  
8 heart's content the Japanese beat them unmercifully  
9 at every turn and that her young sister was beginning  
10 to lose her reason.

11 "She begged Commandant (Major) CAPPOINI to try  
12 to bring about their return to Hagiang or, at least,  
13 that they should not be obliged to live in the same  
14 room as the soldiers.

15 "FURUKAWA did not give any result to the requests  
16 of Commandant (Major) CAPPOINI and the new represen-  
17 tations that we made together, after his arrival at  
18 Hagiang, to Commandant (Major) SAWANO had no better  
19 success.

20 "On 7 May 1945, in the presence of the French  
21 soldiers who shared my captivity, Captains Vaillant,  
22 Jean Cenelle, Casaula, Cadet Viret, Gendarme Roitevin,  
23 Commandant SWANO announced to me that Madame Dumoulin  
24 and her sister had run away from Hoang Su Phi. As I  
25 expressed some astonishment in view of the advanced

1 pregnancy of Madama Dumoulin and their ignorance of  
2 the locality he told me that they had had a 'fit' of  
3 melancholia but that they were being searched for and  
4 would soon be found.

5 "Two days later he said in reply to my questions  
6 that the search was still on.

7 "On May 17th, 1945, Commander NAGANO left Hagiang  
8 once and for all, and his successor omitted to come  
9 and see us.

10 "Transferred at the end of May to Yietri and then  
11 to Kanoi, we were kept without news of Mme. Dumoulin  
12 and Mlle. Treluyer up to Japan's surrender and even  
13 far later.

14 "It was only in the first months of 1946 that I  
15 learned from native sources of information that the  
16 two girls had been butchered at the beginning of May  
17 1945 on the orders, if not by the hand, of Lt. FURUKAWA  
18 himself, as a reprisal for the attack of April 28th  
19 and 29th which Commander Klein's French detachment had  
20 led against the Japanese held post of MAN MGI.

21 "Of these native versions, one says that they  
22 were beheaded a few hundred metres from the Koang Su  
23 Phi post on the track leading to Man Mei, and the  
24 other, that they were shot behind the Yamen du Tri  
25 Chau of Koanex Su Ppi."



1 Prosecution document No. 2772-A-7, the official  
2 report of the deposition of Captain FURUKAWA is now  
3 offered in evidence.

4 THE PRESIDENT: Admitted on the usual terms.

5 CLERK OF THE COURT: Prosecution's document  
6 No. 2772-A-7, will receive exhibit No. 2152.

7 (Whereupon, the document above re-  
8 ferred to was marked prosecution's exhibit  
9 No. 2152 and received in evidence.)

10 MAJOR DEPO: This document is supplementary  
11 to the previous document, No. 2772-A-3, already in-  
12 troduced in evidence and bearing exhibit No. 2124. It  
13 concerns the rape and assassination of two French  
14 woman. FURUKAWA admits having killed, at Xin-Man,  
15 two officer prisoners and, with the help of a certain  
16 named TAKETSUBO executed 40 prisoners of war, French  
17 and Indo-Chinese of the garrison of Hoang-Su-Phy.

18 With the Court's permission I will now read  
19 this document:

20 "Republic of France. Federal War Crimes Service.  
21 S A I G O N (Cochinchina) Official Report of 9th  
22 December 1945.

23 "In the year 1946 and on the 9th December.

24 "I Captain Claude Le Sourd, Attache to the Federal  
25 War Crimes Service, assisted by Miss Monique Lepelletier,

1 Interpreter, and Miss Demenais acting as clerk, pro-  
2 ceeded as follows, to the interrogation of the herein-  
3 after named:

4 "Questioned as to his civil status, he declared:

5 "My name is FUKUKAWA, born on 29 April 1918, at  
6 Miyajiricho, Ujiyamada City, Mie Ken, son of FURUKAWA  
7 Seikichi and FURUKAWA Fusa, following the profession  
8 of Captain commander of the 6th Company of the 2nd  
9 Battalion of the 226th Regiment.

10 "Q When did you arrive in French Indo China?

11 "A Coming from China, I arrived: on the 8th  
12 February 1945 at Tinnan Quan.

13 "Q Will you tell me what happened at Hagiang  
14 at the beginning of March 1945?

15 "A The 2nd Battalion of the 226 K.I. /Infantry  
16 Regiment/ began the fighting on 9 March, towards  
17 half past 7 P.M. by attacking from the rear of the  
18 fortress. The combat lasted for about 4 hours. At  
19 daybreak after the surrender, I assembled the prisoners  
20 of my company and sent them to the Battalion.

21 "At 16.00, on 10 March I left with my company  
22 for Than Thuy.

23 "Three days after, I went out with my company to  
24 Laotchsachay then to Hoang Su Phay, afterwards Xin Min.  
25 I watched these different positions for a week; to be



1 exact, a week at each place. Then on 15 May, we were  
2 relieved and sent to Hanoi. "  
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1 "Q Did you take Major Moullet with you to  
2 Hoang Su Phy and Thanh Thuy?

3 "A Yes.

4 "Q What can you tell about the violation of  
5 a Frenchwoman of which you are accused?

6 "A On 15 or 16 March, on my arrival at  
7 Hoang Su Phy, the Tri-Chau /Provincial-Chief/  
8 informed me, through an interpreter from Hoang Su  
9 Phy, of the presence of 2 young French girls on the  
10 second floor of the house situated at the bottom  
11 of the yard. He added, 'Go and see them.' This  
12 I immediately did. I took with me two armed sol-  
13 diers and, crossing the yard, I went up to the  
14 2nd floor. Finally, after having opened the door  
15 of a room, I found 2 young girls lying in a bed.  
16 They get up and I searched them, wanting to make  
17 sure that they were not hiding any arms. Then,  
18 thinking that this search was not sufficient, I  
19 opened a door communicating with another room, and  
20 had them enter in, and following them in leaving the  
21 two soldiers in the first room. Having shut the  
22 communicating door, I made the two young girls  
23 understand, under the menace of my revolver, to  
24 undress themselves. I made the younger go on down,  
25 and stayed alone with the other. I possessed her



1 in spite of her cries.

2 "The act accomplished, I returned to the  
3 first room where I occupied myself in a search of  
4 the baggage of these two prisons. I found in it,  
5 300 piastres which I appropriated to myself. I con-  
6 fiscated for my benefit almost all the belongings  
7 discovered which I put back into their valise.

8 "Q What do you know about the murder of  
9 Captain Pares and Lieutenant de Parelle? On about  
10 25th May?

11 "A Embarrassed by my prisoners, I decided  
12 to rid myself of them taking advantage of a lull.

13 "Going out for this purpose, from Xin Man  
14 with 3 or 4 armed soldiers and 2 prisoners, I myself  
15 killed first the captain with a bullet through the  
16 heart, and then the lieutenant, leaving the corpses  
17 to the care of my soldiers for the burial. This  
18 finished, I returned to Xin Man.

19 "The execution took place along a track.

20 "I kept the third French officer, a major,  
21 for the purpose of sending him to the Staff of the  
22 Battalion.

23 "Q And about the massacre of French soldiers,  
24 what do you know?

25 "A I was afraid of a revolt by my prisoners

1 from Hoang Su Phy. Between the 20th and the 25th,  
2 I executed my plan. One day, about 11:00, I made  
3 the prisoners go out one by one from the yard of the  
4 Tri-Chau's house by a gate at the back, and helped  
5 by TAKETSUBO, I decapitated them one by one with my  
6 sword. 5 soldiers witnessed the execution of 40  
7 French and Indochinese prisoners. Three of these  
8 prisoners succeeded in escaping a little before.  
9 At 13:00, the execution was finished, and the corpses  
10 buried by the 5 soldiers. I do not know what units  
11 my victims belonged to, but I can say that the  
12 highest in rank was a warrant officer.

13 "Q Was it you that had the two women, one of whom  
14 had been raped by you, killed?

15 "A Thinking that the young women of Hoang  
16 Su Phy might furnish some useful information to the  
17 emissaries of the French, I decided to cause them  
18 to disappear.

19 "On 3rd May, about 19:00 or 20:00,  
20 accompanied by TAKETSUBO, I made them go out and  
21 took them out behind the house where they lived. I  
22 fired a shot with my revolver into the back of the  
23 neck of the elder, while TAKETSUBO killed the  
24 younger in the same way. Helped by TAKETSUBO, I  
25 dug two holes where they were buried.



1 "Nothing more being said, the above  
2 affidavit was read, translated, affirmed and signed  
3 before me and the interpreter."  
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1 Prosecution document No. 2772-C-2, affidavit  
2 of Si-A-Phuc, is offered for identification and the  
3 marked excerpts offered in evidence.

4 THE PRESIDENT: Admitted on the usual terms.

5 CLERK OF THE COURT: Prosecution's docu-  
6 ment No. 2772-C-2 will receive exhibit No. 2153 for  
7 identification only, and the excerpt therefrom will  
8 receive exhibit No. 2153-A.

9 (Whereupon, the document above  
10 referred to was marked prosecution's ex-  
11 hibit No. 2153 for identification, and  
12 the excerpt therefrom was marked prose-  
13 cution's exhibit No. 2153-A and received  
14 in evidence.)

15 MAJOR DEPO: In his affidavit Si-A-Phuc  
16 relates the tortures inflicted on a French soldier,  
17 burnt alive by the Japanese at Dam Ha.

18 With the Court's permission I will now read  
19 the marked excerpts.

20 "AFFIDAVIT. Name: Si A Phuc. Profession,  
21 Farmer. Born 18th June 1931 at Dam Ha, son of Si A  
22 Soi and Song Sy. Lives in Dam Ha (Province of Hai  
23 Ninh).

24 "The Japanese ordered me through a Chinese  
25 to sweep the yard, to gather the sweepings, and to



1 throw them in the river. I saw them making a funeral  
2 pyre near the gate on which they put the two corpses,  
3 and about noon they doused them with gasoline and  
4 set them on fire.

5 "About 1400 a bearded French soldier,  
6 whom I did not know, arrived at the post by truck,  
7 his arms bound behind his back. The Japanese  
8 brought him up on to the concrete terrace behind  
9 the office and again bound his arms and legs with  
10 iron wire.

11 "The Chinese coolies received an order to  
12 go and bring wood from near the kitchen and the  
13 Japanese made a pyre with the soldier in the middle,  
14 the whole bound with iron wire. They prepared also  
15 wood on the ground and a Japanese soldier doused  
16 the French soldier and the wood with a can of gaso-  
17 line. He set the fire to his feet. The soldier  
18 cried out a great deal for several minutes and the  
19 flames rose everywhere. The Chinese coolies con-  
20 tinued to bring wood. About 1600 the two coolies  
21 who had dug a hole near the gate came to take out  
22 the burned bones, and then threw them in the hole  
23 where there were already the ashes of the two  
24 corpses burned in the morning.

25 "I saw all that with my own eyes.

1 throw them in the river. I saw them making a funeral  
2 pyre near the gate on which they put the two corpses,  
3 and about noon they doused them with gasoline and  
4 set them on fire.

5 "About 1400 a bearded French soldier,  
6 whom I did not know, arrived at the post by truck,  
7 his arms bound behind his back. The Japanese  
8 brought him up on to the concrete terrace behind  
9 the office and again bound his arms and legs with  
10 iron wire.

11 "The Chinese coolies received an order to  
12 go and bring wood from near the kitchen and the  
13 Japanese made a pyre with the soldier in the middle,  
14 the whole bound with iron wire. They prepared also  
15 wood on the ground and a Japanese soldier doused  
16 the French soldier and the wood with a can of gaso-  
17 line. He set the fire to his feet. The soldier  
18 cried out a great deal for several minutes and the  
19 flames rose everywhere. The Chinese coolies con-  
20 tinued to bring wood. About 1600 the two coolies  
21 who had dug a hole near the gate came to take out  
22 the burned bones, and then threw them in the hole  
23 where there were already the ashes of the two  
24 corpses burned in the morning.

25 "I saw all that with my own eyes.



1 "The Japanese compelled me to go and fetch  
2 water for the kitchen and, in the evening, I re-  
3 turned to my house.

4 "The Japanese left the French post by  
5 truck the next morning for Hanoi and left some  
6 Chinese pirates of their service at the French  
7 post."

8 Prosecution document No. 2772-C-3, affi-  
9 davit of Indo-Chinese first class soldier Vong Deng  
10 is submitted for identification and the marked  
11 excerpts offered in evidence.

12 THE PRESIDENT: Admitted on the usual  
13 terms.

14 CLERK OF THE COURT: Prosecution's docu-  
15 ment No. 2772-C-3 will receive exhibit No. 2154  
16 for identification only, and the excerpt therefrom  
17 will receive exhibit No. 2154-A.

18 (Whereupon, the document above  
19 referred to was marked prosecution's ex-  
20 hibit No. 2154 for identification, and  
21 the excerpt therefrom was marked prosecu-  
22 tion's exhibit No. 2154-A and received  
23 in evidence.)

24 MAJOR DEPO: In his evidence, soldier Vong  
25 Deng relates the massacres at Dinh-Lap inflicted on



1 a French officer, an Indo-Chinese medical lieutenant,  
2 a French corporal, and 19 Indo-Chinese irregulars,  
3 all of whom were prisoners of war.

4 With the Court's permission I will now read  
5 this document.

6 "Affidavit. No. 1549 DDD. Name: Vong  
7 Deng, first class private. Army number 51626.  
8 Born on the 15 July 1922 at Xuan-Lan (near Moncay).  
9 Son of Von Sy Seng and of Kim Di Ku.

10 "Address: 13th Company, Coastal forces.  
11 S.P. 50.681 - BPM 406.

12 "A Japanese officer entered the post and  
13 fired two shots with his revolver at Sub-Lieutenant  
14 Lejhune, who had his hands tied in front of his  
15 body. He fell near the trench which is behind  
16 the captain's house. The Indo-Chinese surgeon  
17 lieutenant was brought near Sub-Lieutenant Lejhune  
18 and the Japanese forced him to sit down.

19 "The Japanese officer returned a few  
20 minutes later and decapitated Sub-Lieutenant  
21 Lejhune with his sword. The lieutenant was on  
22 his knees on the edge of the trench. He decapitated  
23 in the same way the Indo-Chinese surgeon lieutenant.  
24

25 "All of us were grouped in the yard at  
that time to witness these executions, the Japanese



surrounding us.

"The Japanese officer gave an order and the group, of which I was one, made up of 19 sharpshooters and European Corporal Duric, was taken out from the post to near the post office. We were lined up at the side of the road, hands tied behind our backs, in groups of two.

"A Japanese officer and six soldiers surrounded us. Two Japanese soldiers armed with rifles with bayonets fixed began to kill the prisoners. I fell down with five bayonet wounds, three in the neck and chest and did not move again. The Japanese left us at the side of the road till about 1600 hours. At that time the Japanese trucks set off again towards Tien Yen and an old Tho of the village came to see the corpses. He untied me and guided me to Si Ung, a trader whom I knew.

"The inhabitants buried near the road the eighteen dead riflemen and the French Corporal Duric. As soon as I recovered I rejoined in China the French troops which had retreated to Kwantung."

Prosecution document No. 2772-E-7, the official report of the sworn evidence of first class soldier Cron is now offered for identification and the marked excerpts offered in evidence.



1 THE PRESIDENT: Admitted on the usual  
2 terms.

3 CLERK OF THE COURT: Prosecution's docu-  
4 ment No. 2772-E-7 will receive exhibit No. 2155  
5 for identification only, and the excerpt therefrom  
6 will receive exhibit No. 2155-A.

7 (Whereupon, the document above  
8 referred to was marked prosecution's ex-  
9 hibit No. 2155 for identification, and  
10 the excerpt therefrom was marked prose-  
11 cution's exhibit No. 2155-A and received  
12 in evidence.)

13 MAJOR DEPO: The witness, escaped from the  
14 massacre of prisoners of war at the garrison of  
15 Dong Dang, relates the execution of 50 French and  
16 50 French and Indo-Chinese prisoners.

17 With the Court's permission I will read  
18 the marked excerpts of this document.

19 "18th Military District. Place de Roch  
20 Fort. 3rd Colonial Infantry Regiment. No. 46/SM.

21 "Official Report of Evidence by the Witness.

22 "SECRET

23 "In the year 1945 on the 12th of December  
24 at 15 hours

25 "Before me, Captain Cadet, Rene, of the



1 THE PRESIDENT: Admitted on the usual  
2 terms.

3 CLERK OF THE COURT: Prosecution's docu-  
4 ment No. 2772-E-7 will receive exhibit No. 2155  
5 for identification only, and the excerpt therefrom  
6 will receive exhibit No. 2155-A.

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8 referred to was marked prosecution's ex-  
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13 MAJOR DEPO: The witness, escaped from the  
14 massacre of prisoners of war at the garrison of  
15 Dong Dang, relates the execution of 50 French and  
16 50 French and Indo-Chinese prisoners.

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18 the marked excerpts of this document.

19 "18th Military District. Place de Roch  
20 Fort. 3rd Colonial Infantry Regiment. No. 46/SM.

21 "Official Report of Evidence by the Witness.

22 "SECRET

23 "In the year 1945 on the 12th of December  
24 at 15 hours

25 "Before me, Captain Cadet, Rene, of the

1 3rd R.I.C., acting by virtue of the Judicial  
2 Mandate dated 23rd October 1945, of Monsieur  
3 Guillien, charged with the enquiry into war crimes  
4 in North Indo-China

5 "And delegated by Colonel Cariou, Commander  
6 of the 3rd Regiment of Colonial Infantry

7 "First-class soldier Cron, Fernand, registered  
8 No. 14170, presented himself, a survivor of the Fort  
9 of Dong Dang, whom I sent for in accordance with  
10 various paragraphs in the Judicial Mandate cited  
11 above. We have recorded his replies which appear  
12 in the official report."

13 And page two: "On the 12th March, about  
14 11 a.m. the Japanese in force succeeded in scaling  
15 the perimeter wall and when I, Cron, got out of my  
16 demolished dug-out, there were more than 800  
17 Japanese in the fort, commanded by a general.

18 "We were assembled under the veranda of  
19 the fortress. The general had the French flag  
20 hauled down and in its place, had their flag flown.  
21 Our flag was carried off. He made us pay honours,  
22 congratulated us and said he was proud to have  
23 fought us because we had fought like lions.

24 "After this he sent for the captain, made  
25 him sit on a chair in the middle of the courtyard



1 of the fortress and designated 9 French military  
2 personnel among whom I was, the customs official,  
3 and 40 Indo-Chinese.

4 "While this was going on I saw two  
5 Japanese officers talking to the captain and one  
6 of them, a lieutenant, struck the captain on the  
7 nape of the neck with a sword and he fell to the  
8 ground.

9 "The military personnel designated as  
10 explained above were conducted in a double file to  
11 the customs house, where we were locked up. In  
12 the evening about 18 hours we were undressed by  
13 Japanese soldiers who bound our hands behind our  
14 backs and led us to the hill where the Japanese  
15 Mission was situated.

16 "They made us kneel at the edge of a  
17 trench and began to massacre us by sword strokes  
18 on the back of the neck. When this was finished  
19 they went away. I understood later that they had  
20 gone to fetch gasoline. I fled with the two  
21 sharp-shooters -- one of whom had untied my hands  
22 and then run off -- and I carried one of them on  
23 my back. I had run about 300 metres when I saw a  
24 great light coming from the place where we had  
25 just been struck with swords; they were burning

1 the bodies.

2 "I fled into the mountains. I left the  
3 sharp-shooter in a village with some relatives who  
4 gave me some Indo-Chinese clothes, as I only had  
5 on undershirt and a singlet.

6 "I managed to get back to the post of Diemhe,  
7 which I found abandoned. I found the occupants in  
8 the mountains. From there, I rejoined the detach-  
9 ment of Captain Michel on the 14th March. We found  
10 at Bao Lac the detachment of Colonel Seguin and  
11 crossed the Chinese frontier.

12 "2. Give the names and addresses of other  
13 surviving witnesses.

14 "Out of 50 military personnel designated  
15 for the massacre above-mentioned, I only saw the  
16 two sharp-shooters whom I have cited escape. I do  
17 not know their identity or their registration number.  
18 One fled as soon as he had untied my hands. The  
19 second I left in a village at some relatives. I  
20 cannot name the village."  
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1            Prosecution document No. 2772-E-6, affidavit  
2 of Sub-lieutenant Chomette, Louis, is offered to  
3 the Court in evidence.

4            THE PRESIDENT: Admitted on the usual terms.

5            CLERK OF THE COURT: Prosecution's document  
6 No. 2772-E-6 will receive exhibit No. 2156.

7            (Whereupon, the document above  
8 referred to was marked prosecution's exhibit  
9 No. 2156 and received in evidence.)

10           MAJOR DEPO: The witness, who was a wounded  
11 survivor of one of the massacres of prisoners of war  
12 of Langson, gives an account of the execution of a  
13 group of officers and men.

14           With the Court's permission, I will now read  
15 this document.

16           "Affidavit of Chomette, Louis, Jean-Marie,  
17 Leon, Sub-lieutenant. Born 8 December 1919, at  
18 St. Etienne (Loire); son of Elie Chomette and Leontine  
19 Durand. Address in France: 19 Rue St. Claire,  
20 Clermond-Ferrand (Puy-de-Dome).

21           "Immediately after the surrender of the fort  
22 on 10 March at 1600 hours, the Japanese looted all the  
23 premises and more especially the Officers' Quarters;  
24 all the prisoners were searched and relieved of all  
25 they possessed (money, watches, papers, rings and

1 wedding rings, etc.) but I managed however to conceal  
2 a little money and my signet ring in one of my shoes.

3 "The Japanese absolutely refused to evacuate  
4 our seriously wounded to the hospital of Langson.  
5 Next day, about 1600 hours, all the prisoners, with  
6 the exception of some seriously wounded (Battalion  
7 Commander Boery, Adjutant Chief, Celestin, Private  
8 Gauthier and others whose names I do not know) were  
9 divided into four groups, three groups of about 20  
10 soldiers each and a group of officers (5), and fastened  
11 to each other by the left wrist. These groups were  
12 taken, in succession, on to the ramp of the fort and  
13 placed one behind the other. Shortly after, about 15  
14 Japanese, armed with rifles and two machine guns,  
15 took up a position some meters away from us; each of  
16 us immediately understood the fate which had been  
17 reserved for us. Lt. Duronsoy asked the Japanese,  
18 without success, that the massacre might be limited  
19 to the officers. The men were very steady and calmly  
20 said goodbye to us, expressing the hope that we should  
21 be avenged.

22 "At the moment when the Japanese took aim  
23 at us all the condemned struck up the 'Marseillaise.'  
24 The Japanese let us sing about two couplets and then  
25 fired.



1           "The number of shots fired was comparatively  
2 few. One round each from the rifle and two short  
3 bursts of machine gun fire. Many of us were wounded,  
4 particularly about the legs, but I have the impression  
5 that the number of dead was not high; nevertheless we  
6 tumbled one on the other. During the two hours which  
7 followed, scenes of unparalleled savagery took place,  
8 beginning with the Japanese throwing themselves upon  
9 us, yelling and using our bodies as fencing targets for  
10 the bayonet. Then they amused themselves by firing  
11 rifle or revolver shots in the ear of those who did  
12 not appear quite dead. The least tremble called forth  
13 roars of laughter and loud shouts of joy and marked a  
14 new victim whom they immediately set upon with the  
15 bayonet. I myself was wounded four times, in the arm,  
16 in the chest and in the right buttock.

17           "When the Japanese considered that not a single  
18 one more remained alive they had us removed by Annamites  
19 (our irregulars) and thrown into a ravine. The bodies  
20 thus thrown rolled for 200 to 250 meters. I came to  
21 myself, lying head downwards, near a track which I knew  
22 well and lay without moving till nightfall. Around me  
23 were some twenty dead bodies among which only Chief  
24 Corporal Saladini was still alive.

25           "After night had fallen it was at last possible

1 for us to get up and make our way back with difficulty  
2 to the hospital of Langson.

3 "As far as concerns the fate of the Battalion  
4 Commander Boery, and some severely wounded who were  
5 not shot with us, I have been able to gather from  
6 Private Vo Thanh (an Eurasian, considered an Annamite  
7 by the Japanese, who was looked after at Langson  
8 and then disappeared) the following details: The Com-  
9 mandant and the other wounded were led to the top of  
10 the wall of the Fort where there were two Japanese  
11 captains, one of whom was a doctor (names unknown).  
12 They /the French officers/ were spectators at the  
13 execution of all their comrades and were then executed  
14 in their turn by revolver bullets and thrown on to  
15 the heap of other dead.

16 "The account of Vo Thanh seems to me the  
17 more reliable as there was a moment when I received an  
18 impression that something soft had fallen near me."

19 Mr. President, and Members of the Tribunal,  
20 Mr. Oneto will now continue the presentation of the  
21 French phase of the prosecution.

22 THE PRESIDENT: Mr. Oneto.

23 MR. ONETO: Mr. President: Before continuing  
24 to present the French case, I wish to tell the Court  
25 that I have received today a document which the French



1 prosecution desires to present in evidence. This  
2 document having come too late for me to have it  
3 processed and distributed, it will be presented later  
4 to the Court when other evidence concerning the accused  
5 will be presented.

6 THE PRESIDENT: What is the document?

7 MR. ONETO: Your Honor, this document is  
8 relative to a Supreme Council -- Imperial Council of  
9 February 1945, on which occasion the military action  
10 in Indo-China which took place in March 1945 was  
11 decided.

12 THE PRESIDENT: Yes. That is all I want to  
13 know.

14 MR. ONETO: The French prosecution would  
15 like to summon a witness. This witness is Captain  
16 Gabrillagues. I ask the authorization of the Court  
17 to have him called in.

18 THE PRESIDENT: Bring him in.  
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GABRILLAGUES

DIRECT

1 FERNAND GABRILLAGUES, Captain,  
2 The French Army, called as a witness on  
3 behalf of the prosecution, being first duly  
4 sworn, testified through French interpreters  
5 as follows:

## DIRECT EXAMINATION

6  
7 MR. ONETO: The witness can only speak  
8 French, and with the authorization of the Court, I  
9 would like to interrogate him in this language.  
10 BY MR. ONETO:

11 Q Please give your name and first name.

12 A Gagrillagues, Fernand.

13 Q What is your profession?

14 A I am a French officer -- officer in the  
15 French Army, non-commissioned officer.

16 THE FRENCH MONITOR: Correction: Officer in  
17 the French Army.

18 Q What is presently your occupation?

19 MR. BROOKS: If the Court please, we did  
20 not get his name over the IBM. I wish the French  
21 would take a little more time and give us a chance  
22 to get these names.

23 Q Would you please repeat your name and first  
24 name?

25 A My name is Gagrillagues.



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DIRECT

1 Q What is presently your occupation?

2 A I am a delegate of the service of the War  
3 Tribunal in Indo-China.

4 Q What is presently your address?

5 A 181 Rue Mayer, Saigon.

6 Q Where were you before the beginning of the war?

7 A I was a student in Paris.

8 Q And during the occupation?

9 A Until September, '42, I was in France.

10 Q And after September 1942, where were you?

11 A I was in Africa.

12 Q In which part of Africa?

13 A In French Equatorial Africa.

14 Q What did you do after leaving France?

15 A I was in the Colonial Service of the French  
16 Colonies in Africa.

17 THE FRENCH MONITOR: Western French Africa.

18 Q Did you hold this position during the entire  
19 course of the war?

20 A I was mobilized almost immediately.

21 Q Where did you go afterwards?

22 A In North Africa, in Italy, in France, in  
23 southern Germany.  
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GABRILLAGUES

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1 Q What is presently your occupation?

2 A I am in the War Tribunal for Indo-China.

3 THE FRENCH MONITOR: Delegate for War  
4 Crimes in Indo-China.5 Q How did you learn about war crimes committed  
6 in Indo-China by the Japanese forces in this quality?7 A I know of these facts because of my study of  
8 the documentation of the war crimes that we were  
9 making of the war crime in Indo-China.10 Q Is it on the basis of your investigations  
11 and of your activities in Indo-China which you have  
12 prepared this statement which is here and the map  
13 which accompanies it?14 A It is solely on the documentation that I  
15 have gathered it.16 Q Do you recognize this statement and the  
17 map which is being shown to you?18 THE FRENCH MONITOR: The certificate and the  
19 map?

20 A I do.

21 Q Is it your signature which is affixed to  
22 the statement and to the certificate which is attached  
23 to it?

24 A Yes, it is.

25 MR. ONETO: Mr. President, I present to



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DIRECT

1 the Court this statement which bears No. 2963.

2 THE FRENCH MONITOR: And I offer it in  
3 evidence.

4 THE PRESIDENT: **Captain Brooks.**

5 MR. BROOKS: If the Tribunal please, I want  
6 to object to the introduction of this document No.  
7 2963 that is being offered. The witness in identi-  
8 fying it has stated that he is not a prisoner of  
9 war. All of his testimony as set out in there is  
10 therefore based upon hearsay and possibly hearsay  
11 upon hearsay. Some of his conclusions therein would  
12 invade the province of the Court and would not be  
13 evidence but would be his opinion and conclusions  
14 from documentary evidence, possibly part of it being  
15 hearsay, and there is no protection on the defense  
16 to investigate that; and for the further reason that  
17 the conclusions of this witness in this statement  
18 do not show what documents he utilized in forming  
19 the statement or what material was studied that the  
20 witness has examined.

21 THE PRESIDENT: Mr. Oneto.

22 MR. ONETO: Mr. President, it is precisely  
23 because of the quality of the members of the Indo-  
24 Chinese War Crimes Service that the witness has been  
25 called. The witnesses which we should have liked to

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DIRECT

1 present to the Court relative to certain phases of  
2 the atrocities having been unable to return from  
3 France where most of them have gone, the prosecution  
4 thought that it would be interesting for the Court  
5 to gather information -- by an officer who is par-  
6 ticularly competent -- of certain information and  
7 facts about atrocities about which he has some know-  
8 ledge.

9 THE FRENCH MONITOR: Because of his very  
10 functions.

11 THE PRESIDENT: Does he merely state what  
12 he read in documents, or does he attempt to draw  
13 conclusions from what he read in those documents?

14 Captain Brooks says he draws conclusions.  
15 I don't know. I have not read the document.

16 Let Mr. Oneto answer, Captain Brooks.

17 MR. ONETO: Mr. President, I think that the  
18 lecture of the document which I am going to read will  
19 answer to -- in advance to the objections of the  
20 Court.

21 THE FRENCH MONITOR: Answer by itself.

22 THE PRESIDENT: Well, the question is whether,  
23 in the opinion of the Tribunal, this document has any  
24 probative value. It is really a question of fact  
25 upon which I will, as usual, take the views of my



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colleagues.

The Court has decided to admit the document for what it is worth.

CLERK OF THE COURT: Prosecution's document No. 2963 will receive exhibit No. 2157.

(Whereupon, the document above referred to was marked prosecution's exhibit No. 2157 and received in evidence.)

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1 MR. ONETO: With the permission of the  
2 Court, I will read this document.

3 (Reading). "Statement made in Tokyo 7 Janu-  
4 ary 1947 before Mr. Robert Oneto, Associate-Prose-  
5 cutor for France.

6 "My name is Fernand GABRILLAGUES, born 1  
7 January 1918 at Paris, Bachelor of Letters. Master  
8 of Laws. I am an officer of the French Army and  
9 a representative of the War Crimes Service of Indo-  
10 China. I live at Saigon, 181 rue Mayer.

11 "Being in charge of the investigation bureau  
12 for war criminal suspects I have been led in the  
13 performance of my functions to study a comprehen-  
14 sive body of documents and /this fact/ has permitted  
15 me to have cognizance of the war crimes committed  
16 in Indo-China by the Japanese forces.

17 "The number of these crimes is consider-  
18 able, the documentation concerning them is volumi-  
19 nous, and there could be no question of making a  
20 complete expose of them. Certain of them are and  
21 will remain unknown because of the absence of wit-  
22 nesses and the systematic destruction of their  
23 files carried out by the Japanese in anticipation  
24 of the Allied landings.

25 "I will leave aside the blows at the liberty



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1 and dignity of individuals, the pillage, theft,  
2 various cruelties and even murders, mentioning only  
3 certain salient facts.

4 "I propose to call attention particularly:

5 "1. To the atrocities committed on the  
6 premises of the Kempeitai and in the Prisoner of  
7 War camps.

8 "2. To the massacres of Prisoners of War  
9 and civilians.

10 "Whilst the Japanese Command in Indo-China  
11 was concentrating all the French population in the  
12 cities within enclosures where they were often the  
13 most exposed to Allied bombardments, the KEMPEITAI  
14 was signalizing itself by its atrocities. Hundreds  
15 of Frenchmen were imprisoned and subjected to a state  
16 of affairs worse than that of common criminals; penned  
17 up in cramped quarters and under distressing sani-  
18 tary conditions, without clothes, without medical  
19 care, without water, sometimes deprived of food  
20 for whole weeks, most often receiving all in all  
21 nothing but a single ball of rice, excessively  
22 filthy and presented under loathsomely dirty condi-  
23 tions.

24  
25 "On the pretext of interrogation a great



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1 variety of tortures were systematically inflicted:  
2 clubbings that left lesions and fractures, lighted  
3 matches slipped under the nails, burns by cigarettes  
4 and by lighted tapers, torture by sharp-edged blocks,  
5 torture by water, torture by electricity, hanging  
6 by the thumbs, and others.

7 "These conditions of life and these tortures  
8 caused the death of many prisoners, some having  
9 been tortured to death, others having died in the  
10 course of their stay in prison, exhausted by abuse  
11 and sickness. At Hanoi, at Haiphong, at Vinh,  
12 at Hue, at Saigon, at Phnom-Penh and in all the  
13 places where the Kempeitai raged, hundreds of  
14 Frenchmen of all conditions as well as a certain  
15 number of nationals of Allied Nations were sub-  
16 jected to degrading treatment from which a great  
17 many had no deliverance save by death. Those who  
18 by reason of Japan's defeat were able to escape  
19 certain death left the Kempeitai prisons mere skin  
20 and bones, their health definitely broken.

21 "The examination of the files makes clear  
22 the identity of the methods employed in Indo-China  
23 in the different local sections of the Gendarmerie.

24 "In the Prisoner of War camps the atrocities  
25



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1 committed did not lag behind those habitual to the  
2 Kempeitai. These officers and men were forced to  
3 work like convicts at defense works. Even the  
4 sick, who were soon a considerable number, were  
5 also forced to work and were clubbed and beaten  
6 with iron bars at the slightest faltering. Scarce-  
7 ly fed, left without medical care, herded like  
8 beasts into huts which they had, with great diffi-  
9 culty, constructed with crude means subjected to  
10 exhausting labor. The prisoners died in great  
11 numbers: 98 over a period of fifty days in the Hoe-  
12 Binh camp at Tonkin.

13 "But above all ---- in many parts of Indo-  
14 China the Japanese massacred the Prisoners of War."

15 THE PRESIDENT: We will recess for fifteen  
16 minutes.

17 (Whereupon, at 1445 a recess was taken  
18 until 1500, after which the proceedings were  
19 resumed as follows:)  
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GABRILLAGUES

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1 MARSHAL OF THE COURT: The International  
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Mr. Oneto.

4 MR. ONETO: Continuing from the top of page 3:

5 "At Langson sixty defenders of Fort Briere  
6 de l'Isle were shot and finished off with the bayonets  
7 immediately after the fighting was ended.

8 "At Langson also, at the Citadelle, more  
9 than 200 French prisoners were massacred. The execu-  
10 tion took place in successive batches of 50 men each:  
11 the butchers worked with sabres, with bayonets, with  
12 blows of pick axes, and threw themselves upon the  
13 survivors. From the second batch on the new victims  
14 stood on soil running with blood.

15 "Massacres of Prisoners of War and of  
16 civilians took place in various other parts of the city  
17 of Langson. General Lemonnier, Colonel Robert, the  
18 Resident of the province were among the victims. A  
19 child only a few months old, in its mother's arms, had  
20 its skull smashed. The mother, by a miracle, survived  
21 the massacre.

22 "At Dong-Dang, after a fight which lasted  
23 three days, the garrison gave itself up and received  
24 the congratulations of the Japanese officers for its  
25 heroism. A few moments later the Captain commanding



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1 the garrison was slaughtered under the eyes of his  
2 men. Thereafter, it was the turn of all the other  
3 defenders, executed by sabre and bayonet and of all  
4 the Europeans in Dong-Dang. The only survivor of the  
5 massacre, Corporal Cron, describes the execution of  
6 the Captain and fifty of his men.

7 "At Dinh Lap, all French Survivors as well as  
8 Annamite Tirailleurs were massacred. Similar massacres  
9 of prisoners at Tien-Yen, and Hanoi, at Dam-Ha,  
10 particularly as far as this last mentioned post is  
11 concerned, evidence shows that four wounded Annamites  
12 and one European were burned alive.

13 "The massacres mentioned above were the work  
14 of the 225th Regiment of the 37th Division, commanded  
15 by Colonel Shizume.

16 "The 226th Regiment which belonged to the  
17 same Division has to its credit in particular the  
18 massacres of Xin-Man, Hoang-Su-Phi and Hagiang where  
19 French prisoners to the number of a hundred were massacred.

20 "In the last mentioned regions, several  
21 cases of rape of French women occurred. A woman and her  
22 sister aged 14 years were compelled to cohabit for weeks  
23 with 50 Japanese soldiers who treated them brutally as  
24 well as violating them. One of them went mad and both  
25 were subsequently executed. Another example: a young



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1 French girl of 15 years and her mother were violated  
2 and then assassinated.

3 "Over and above, in several regions, native  
4 women were forced into prostitution.

5 "In the section of another Japanese unit,  
6 the 21st Division, massacres of French prisoners were  
7 equally frequent. They took place, in particular,  
8 during pursuit actions with the rearguards of General  
9 Alessandri which, departing from the Hanoi region, tried  
10 to reach China and got there at the price of heavy  
11 losses. At Tong, five Frenchmen and 12 Annamite  
12 Tirailleurs -- prisoners -- were executed. At Tan-Qui,  
13 fourteen French prisoners were killed by sabre and  
14 bayonet, there was a single survivor, Corporal Jubin,  
15 who describes the massacre. Similarly (there were)  
16 executions of prisoners at Yen-Bay, Phuto, Sonla, Leichau,  
17 Malita.....

18 "Finally, in Loas at Takhek, a town likewise  
19 occupied by the 21st Division, practically all the male  
20 European population was massacred. Fifty-five French  
21 were thus executed. Two Bishops, the Resident of the  
22 Province, two women and a child figured among the  
23 victims.

24 "I must add that Colonel TSUNEYASHI, Chief  
25 of Staff of the 37th Division, now under detention at



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1 Saigon, in the course of an interrogation before an  
2 Investigating Officer of the War Crimes Service stated  
3 particularly that General NAGANO, commanding the 37th  
4 Division had congratulated the troops of Colonel  
5 SHIZUME after the end of the fighting and massacres at  
6 Langson and that the General considered these massacres  
7 to be an act of war.

8 "Colonel TSUNEYOSHI further stated that  
9 General TSUCHIHASHI, Commander in Chief of the Japanese  
10 troops in Indo-China, to whom the massacres of the  
11 prisoners at Langson were reported declared in these  
12 very words: 'Act as if I knew nothing about it.'

13 "Under oath I certify that the foregoing state-  
14 ments are true.

15 "Captain F. Gabrillagues, Delegate of the  
16 Indo-China Federal War Crimes Service.

17 "Deposition taken at Tokyo, Tuesday,  
18 7 January 1947. R. Oneto, Associate Prosecutor for  
19 France."

20 THE PRESIDENT: Several of the atrocities  
21 referred to in the exhibit that you have just read  
22 appear to be in evidence already. Is that so?

23 MR. ONETO: Yes, it is so, but not entirely  
24 so. And I feel that the witness would be in a position  
25 to give some further details which would supplement

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1 the information already submitted to the Court.

2 THE PRESIDENT: Yes. Are you going to examine  
3 him further?

4 MR. ONETO: I have only a few questions very  
5 rapidly to ask to the witness, Mr. President.

6 THE PRESIDENT: Proceed to ask him those  
7 questions.

8 MR. ONETO: A map is affixed to the deposition  
9 of Captain Gabrillagues with a certificate which I will  
10 read:

11 "The attached outline map indicates the where-  
12 abouts of the majority of the localities in Indochina  
13 where murders and atrocities with respect to the civil  
14 population and prisoners of war surviving the occupation  
15 by the Japanese armies, were committed.

16 "Capt. Gabrillagues, Delegate of the War Crimes  
17 Office."

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1 BY MR. ONETO (Continuing):

2 Q During the course of your functions you have  
3 had to study a large number of documents. It is not  
4 my intention to ask you to give precisions on all  
5 those which you have studied. Going over only depo-  
6 sitions which you have given I have the intention  
7 only of asking you a few supplementary details within  
8 the limit of which your memory is capable. In page 1  
9 of your statement, speaking of the atrocities which  
10 were inflicted upon the victims, you speak of sharp  
11 blocks of wood, could you give us some details about  
12 this?

13 A These tortures consisted of making the pris-  
14 oners kneel on blocks of wood which were placed on  
15 the ground with the sharp edge turned upwards. While  
16 the prisoner was kneeling on these blocks of wood a  
17 non-commissioned officer who was supposed to interro-  
18 gate him jumped on the legs of the prisoner.

19 THE FRENCH MONITOR: Correction: One of the  
20 aides of the non-commissioned officer who was interro-  
21 gating -- who was supposed to interrogate him.

22 Q Regarding the atrocities which were blamed  
23 upon various sections of the gendarmerie, were you  
24 under the impression that these were isolated cases?

25 THE FRENCH MONITOR: Due to local sections of

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1 the gendarmerie -- local sections.

2 A (In French.)

3 MR. LOGAN: If the Tribunal please, I object  
4 to that question as calling for a conclusion of the  
5 witness.

6 THE PRESIDENT: Well, the question is answered  
7 now, but I think it ought to be stricken, as the Amer-  
8 icans say.

9 Do you think this further examination is  
10 worth while, Mr. Oneto?

11 MR. ONETO: Mr. President, I had the inten-  
12 tion to ask the witness a few questions about the  
13 massacre at Takhek. May I pose him those questions?

14 THE PRESIDENT: Yes, anything worth while.

15 Q The witness, can he give us some precisions  
16 about the conditions in which the massacre at Takhek  
17 was conducted?

18 A We have on the whole few precisions on the  
19 massacre at Takhek. We know that 55 French people, of  
20 whom 40 civilians, 10 soldiers, 2 women, and 1 child  
21 were massacred.

22 Q At Takhek?

23 A At Takhek. We have found their bodies in the  
24 course of exhumation; a certain number of them had had  
25 their heads cut off, while others had a rope around



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1 their neck which gave us to believe that they had been  
2 hanged when Takhek was taken. After all resistance  
3 had been overcome all the civilian population, men,  
4 women, and children, were taken prisoners. After a cer-  
5 tain lapse of time the women were separated from the  
6 men. The women survived as long as the armistice and  
7 we could interrogate them and learn of the conditions  
8 in which they lived at Takhek. For the most part nearly  
9 all of them didn't know what had become of their hus-  
10 bands and children. We learned, however, that the men,  
11 with two exceptions, had been massacred. These took  
12 place on three occasions; there were three principal  
13 occasions: The first at Takhek itself in the military  
14 camp; the other two in the neighborhood of Takhek.

15 MR. ONETO: Mr. President, may I ask one more  
16 question of the witness relating to the massacre of  
17 Langson?

18 Q Can you give some details?

19 A The massacres of Langson were numerous as I  
20 have already said in my deposition. There was one  
21 massacre at Fort Briere de l'Isle, one in the Citadelle,  
22 and several others in the town. We have had a few pre-  
23 cisions on the massacre that took place in the Cita-  
24 delle according to the deposition made by one of the  
25 Japanese officers who was present at the time. His

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1 name is Captain IMUDA. He told us that the French  
2 prisoners were got out of the Citadelle by groups of  
3 50 or 60 and killed by the river. He gave us the  
4 description of the massacre of the first batch of  
5 men as he didn't witness the others.  
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1 THE FRENCH MONITOR: He gave us from a  
2 witness of the first batch.

3 A The first batch of fifty men were taken  
4 to the courtyard where a fire had been lighted. Fifty  
5 French people -- they were all French, all Europeans,  
6 no Annamites were in there, as he himself told us --  
7 were lined up with one Japanese behind each man --  
8 before each man. All fifty prisoners were killed  
9 either with bayonets or sabers. The survivors were  
10 executed with picks, according to another deposition  
11 than that of Captain Imuda. This witness tells us  
12 that, horrified by these spectacles, he ran away  
13 and hid under six blankets so as to isolate himself  
14 physically as well as otherwise from this terrible  
15 spectacle.

16 Q Do you have any precision on the conditions  
17 of executions of the other prisoners?

18 MR. BROOKS: Mr. President, it appears to the  
19 defense that this is repetitious as matters already in  
20 evidence, as just recently put in by the prosecutor  
21 here, and this is testimony based on hearsay.

22 THE PRESIDENT: Hearsay is admissible. Mr.  
23 Oneto said he was adducing additional facts. We do  
24 not want repetition, certainly.

25 MR. ONETO: I have no more questions to



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1 ask the witness, Mr. President.

2 THE PRESIDENT: Captain Brooks.

3 MR. BROOKS: If the Tribunal please, the  
4 defense moves at this time to strike from the evidence  
5 exhibit 2157, the statement of the witness, after we  
6 have heard it read for its lack of probative value,  
7 and--

8 THE PRESIDENT: We have already decided  
9 to admit that, Captain Brooks. If it contains any  
10 conclusions that invade our province we will disregard  
11 them.

12 Mr. Logan.

13 MR. LOGAN: If the Tribunal please.

14 CROSS-EXAMINATION

15 BY MR. LOGAN:

16 Q How long were you in charge of the investiga-  
17 ting bureau for War Crimes Service in Indo-China?

18 A I have been concerned with researches of  
19 the War Crimes Tribunal of Indo-China since September,  
20 end of August or early September, of 1945.

21 Q In your work as investigator, did you inter-  
22 view any witnesses yourself and take statements from  
23 them or did you get all the information contained in  
24 your affidavit from other affidavits?

25 A I have not understood the question.



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1 Q We will hold that for a minute and go back  
2 and clarify the one previous. It came over the  
3 transmitter that you said "1945." Is there a mis-  
4 take there?

5 A It is a mistake.

6 Q What should it be?

7 A 1946.

8 Q When you received the documents respecting  
9 these incidents did you go out and take any statements  
10 yourselves from any of the people involved?

11 A I did not receive the depositions myself.

12 Q Did you investigate, examine, any of the  
13 affidavits or documents on which your statement is  
14 based?

15 A I read most of the affidavits and the com-  
16 plaints which were registered by witnesses.

17 Q Did you ever question a witness yourself  
18 in connection with any of these incidents you have  
19 related in your statement?

20 A I did not myself interrogate witnesses.  
21 It wasn't my work.

22 Q Is it a fact that these prisoners of war  
23 mentioned in your statement were De Gaullists?

24 A I do not know.

25 Q Didn't you make any investigation to try to

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GROSS

1 find out what army these soldiers belonged to?

2 A Which soldiers?

3 Q Prisoners of war you mention in your affidavit.

4 A They belonged to the Indo-Chinese army.

5 Q Were any of them De Gaullists?

6 A I do not know.

7 Q Were any of them guerrillas?

8 A Some of them belonged to the underground.

9 Q On what side were these Chinese troops?

10 Were they on De Gaulle's side or were they on the  
11 side of the recognized French Government, the Vichy  
12 Government?

13 A I have not understood the question.

14 Q Didn't you say a minute ago that some of  
15 these troops -- you didn't know whether they were  
16 De Gaullists or on the side of the Vichy Government --  
17 they were Chinese troops?

18 A I do not believe I have spoken of Chinese  
19 troops.

20 Q Indo-Chinese troops, what side were they on?

21 A The Indo-Chinese troops were part of the  
22 French army of Indo-China.

23 Q Were they under the command of the Vichy  
24 Government at that time?

25 A They were under the orders of the commanding



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1 general, the senior commanding general of the troops  
2 in Indo-China.

3 Q For what government were they fighting?

4 A The troops were fighting for France.

5 Q When you say France, do you mean the Vichy  
6 Government?

7 A France.

8 Q You understand, of course, that the Japanese  
9 troops went into Indo-China under an agreement with  
10 the Vichy Government. Now, in your investigation  
11 did you find out that these Indo-Chinese troops  
12 were opposed to the Vichy Government?

13 A I do not have the information with me to  
14 answer this question.

15 Q Didn't you think it important in your work  
16 as an investigator to find out what army, if any,  
17 these people were employed by at the time of these  
18 alleged atrocities?

19 A I concerned myself solely with the identi-  
20 fication and the search for war criminals.

21 Q How can you determine who was a war criminal  
22 unless you know what army he is fighting for?

23 A Criminals are judged by the crime which they  
24 commit.

25 Q That isn't an answer to the question I gave

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CROSS

1 you. Will you please answer the question?

2 A Would you please repeat the question?

3 Q Do I understand you made this investigation  
4 and tried to determine whether or not a person was a  
5 war criminal without knowing on which side the prisoners  
6 of war were?

7 A I made researches regarding prisoners of  
8 war from the complaints which I received.

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CROSS

1 Q Who was the Governor General, representative  
2 of the Vichy Government, in Indo-China?

3 MR. ONETO: Mr. President, I object to this  
4 questioning which seems to be past -- to go beyond  
5 the deposition of Captain Gabrillagues.

6 THE PRESIDENT: It does go beyond it, indeed,  
7 but, I think that Mr. Logan is trying to lay the founda-  
8 tion for submission of law later. He is not supposed  
9 to know who the Governor General was and it is not  
10 relevant anyhow. The political affiliations of these  
11 people may have some relevance but not their names.

12 Q Do you know who was the leader of the Indo-  
13 Chinese Army?

14 A General Martin.

15 Q And was General Martin a representative of  
16 the Vichy Government?

17 A I do not know.

18 Q You were in charge of this Investigation  
19 Bureau, weren't you?

20 A Yes.

21 Q Well, wasn't it part of your duties to find  
22 out if these prisoners of war were guerrillas?

23 A I have never considered these prisoners to  
24 belong to bands of guerrillas.

25 Q Well, what did you consider them to belong to?

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1 A To the Army.

2 Q Whose army?

3 A The French Army.

4 Q What do you mean by the French Army?

5 A I cannot give you a definition. It seems  
6 difficult to give you an immediate definition.

7 Q Well, can you give us a definition tomorrow?

8 A I think it would perhaps be possible.

9 Q Can you tell me how many of these prisoners  
10 of war set forth in your statement were members of the  
11 Indo-Chinese Army?

12 A They all belonged to the Army of Indo-China.

13 Q Were they naturalized Frenchmen?

14 A They were either French subjects or French  
15 citizens.

16 THE PRESIDENT: The nationality of the  
17 French didn't change with the change of government.

18 Q In your investigation did you also come  
19 across a document which gave the Japanese Army the  
20 right to go into Southern Indo-China in July, 1941?

21 A I have never seen such a document.

22 Q Now, isn't it a fact, Mr. Witness, that you  
23 know that the Vichy forces and the DeGaullist forces  
24 were fighting in Indo-China?

25 A Fighting how? I don't know.



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1 Q You don't know? Do you know there were  
2 two factions in Indo-China, the DeGaullist faction  
3 and the faction representing the legal Vichy Government?

4 THE PRESIDENT: You forget, Mr. Logan,  
5 perhaps, that there is such a thing as a crime against  
6 humanity as well as a conventional war crime.

7 MR. LOGAN: I know there is such a crime  
8 charged, your Honor, and I am coming to that in a little  
9 while.

10 THE PRESIDENT: Crimes against soldiers  
11 may conceivably be not war crimes, but they may be  
12 crimes against humanity in relation to war. You have  
13 got to keep that in mind.

14 Q May I have an answer to the question?

15 THE PRESIDENT: I do not want to interfere  
16 with your cross-examination, but I want you to under-  
17 stand that we quite understand also what the position  
18 is.

19 MR. LOGAN: I think there is a question  
20 unanswered, your Honor.

21 Will the court reporter read the question?

22 (Whereupon, the question referred to  
23 was read by the official court reporter.)

24 A You are telling me about it.

25 Q Well, is that true and do you know it?

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CROSS

1           A     What?

2           Q     Do you know it to be a fact that there were  
3 two factions in Indo-China, one representing the legal  
4 Vichy Government and one representing the DeGaullists?

5           THE PRESIDENT: Crimes against humanity  
6 could extend to fellow subjects of the person charged.

7           We will adjourn until half-past nine tomorrow  
8 morning.

9           (Whereupon, at 1600, an adjournment  
10 was taken until Friday, 17 January 1947, at  
11 0930.)

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